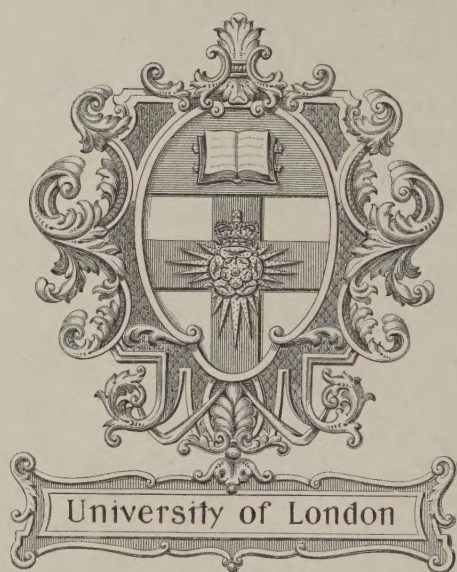
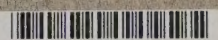






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ACCOUNTS AND PAPERS:

TWENTY-NINE VOLUMES.

— (27.) —

SLAVE TRADE.

Session

7 February — 6 July 1865.

VOL. LVI.

1865.



ACCOUNTS AND PAPERS:

1865.

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WITH THE

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AT

**SIERRA LEONE, HAVANA, THE CAPE OF GOOD
HOPE, LOANDA, AND NEW YORK;**

AND

REPORTS FROM

BRITISH VICE-ADMIRALTY COURTS,

AND FROM

BRITISH NAVAL OFFICERS,

RELATING TO

THE SLAVE TRADE

From January 1 to December 31, 1864.

Presented to both Houses of Parliament by Command of Her Majesty.
1865.

LONDON:
PRINTED BY HARRISON AND SONS.



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Class A.

CORRESPONDENCE

WITH

BRITISH COMMISSIONERS.

SIERRA LEONE.

No. 1.

Her Majesty's Judge to Mr. Layard.—(Received February 11, 1864.)

Sir, *Sierra Leone, December 31, 1863.*
I HAVE the honour to acquaint you that no case has come before the British and Netherlands, British and Spanish, British and Chilian, British and Argentine, British and Uruguayan, British and Bolivian, British and Equatorial, British and United States' Mixed Courts of Justice established in this Colony for the prevention of the illicit Traffic in Slaves, during the half-year ending this day.

I have, &c.
(Signed) G. SKELTON.

No. 2.

Her Majesty's Judge to Earl Russell.—(Received February 11, 1864.)

My Lord, *Sierra Leone, December 31, 1863.*
I HAVE the honour to acquaint your Lordship that no slaves have been emancipated, and consequently that none have been registered by the Courts of Mixed Commission at this station, during the half-year ending this day.

I have, &c.
(Signed) G. SKELTON.

No. 3.

Her Majesty's Judge to Earl Russell.—(Received February 11.)

My Lord.

Sierra Leone, January 21, 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 14th ultimo, with its inclosures, on the subject of the Netherlands barque "*Jane*," condemned in the British and Netherlands Mixed Court of Justice in this Colony for being engaged in the Slave Trade.

In obedience to the instructions conveyed in your Lordship's despatch above mentioned, I have the honour to transmit herewith the original documents on which the Judgment of the Court in the case of the "*Jane*" was founded ;* comprising—

1. The ship's papers, with a list annexed, with the exception of a muster-roll, dated Rotterdam the 21st of August, 1862, which I have already forwarded to your Lordship in my despatch of the 20th of April, 1863.

2. The whole of the evidence which was produced before the Court on behalf of the captor and of the claimant, with a list annexed.

I also inclose a copy of the Judgment in the case, duly certified by the Registrar under the seal of the Mixed Courts.

It is necessary for me to observe that the numbers marked on the backs of the inclosed papers have no reference to the order in which they are sent as inclosures to this despatch; the numbers in question denote the order in which the papers bearing them were filed in the Registry amongst the whole of the documents included in the proceedings in the case, of which I have not thought it necessary to forward such as merely contain technical formalities usual in the practice of the Mixed Court, but do not in any way bear upon the evidence or the sentence.

I have, &c.

(Signed) G. SKELTON.

No. 4.

Her Majesty's Judge to Earl Russell.—(Received March 13.)

My Lord,

Sierra Leone, February 20, 1864.

I HAVE the honour to transmit herewith to your Lordship a Return of vessels captured on suspicion of being engaged in the Slave Trade, which have been adjudicated by the Vice-Admiralty Court in this Colony, during the half-year ending the 31st December, 1863, under the Act 5 Geo. IV, cap. 113.

I have, &c.

(Signed) G. SKELTON.

* See Class A, presented 1864, Inclosures in No. 2.

Inclosure in No. 4.

RETURN of Vessels Captured on suspicion of being engaged in the Slave Trade, and adjudicated by the Vice-Admiralty Court at Sierra Leone, from July 1 to December 31, 1863.

Name of Vessel.	Flag.	Name of Master.	Date of Seizure.	Where Captured.	Property Seized.	Seizor.	Date of Sentence.	Number of Slaves Captured.	Number died before Adjudication.	Total Number Emancipated.	Tonnage.	Decretal part of Sentence, whether Forfeiture or Restitution.	Statute under which Sentence was passed, or Prosecution instituted.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the proceeds remain.
1. Canoe .	None .	Cerey Booboo .	1863 Oct. 4	Close to Leopard Island	Canoe and contents	Thos. Pike, Esq., Harbour Master	1863 Oct. 15	13	...	13	...	Forfeiture .	5 Geo. IV, cap. 113.	Canoe and effects sold by public auction; proceeds not sufficient to pay expenses; deficiency to be paid by captor.
2. Ditto .	Ditto .	Moodoo Lahie, Yourah, and Yathba Daruba	Nov. 30	Close to Bauana Island	Ditto	J. B. Elliot, Manager of Kent	Dec. 19	2	...	2	...	Ditto .	Ditto .	Canoe and contents sold by public auction, and, after paying all expenses, there remains in the Registry to the credit of this case, a balance of 26 <i>l</i> . 18 <i>s</i> . 8 <i>d</i> .

Sierra Leone, February 20, 1864.

(Signed)

THOMAS MARSTON, Registrar.

No. 5.

Earl Russell to Her Majesty's Acting Judge.

Sir,

Foreign Office, June 8, 1864.

I HAVE to acquaint you that I have received a note from the Spanish Minister at this Court, informing me that Her Majesty the Queen of Spain has been pleased to appoint Don Miguel Suarez y Guanes to be Spanish Vice-Consul at Sierra Leone, and Arbitrator on the part of Spain, in the British and Spanish Mixed Commission Court established in that Colony under the provisions of the Treaty of 1834 between this country and Spain for the suppression of the Slave Trade.

I have accordingly to desire that on the arrival of M. Suarez, and on the production of his Commission as Arbitrator, you will take the necessary steps for having the usual oath of office administered to him.

I am, &c.
(Signed) RUSSELL.

No. 6. •

Her Majesty's Acting Judge to Earl Russell.—(Received June 11.)

My Lord,

Sierra Leone, April 25, 1864.

I HAVE the honour to report to your Lordship that George Skelton, Esq., Her Majesty's Judge of the Mixed Courts of Justice, having left this Colony on the 21st instant for England, I have been called on, and have this day taken the usual oath of office as Acting Judge, in accordance with the Treaties for the suppression of the Slave Trade, and that I am at present performing the duties of the office.

I have, &c.
(Signed) SAM. W. BLACKALL.

No. 7.

Her Majesty's Acting Judge to Earl Russell.—(Received June 11.)

My Lord,

Sierra Leone, April 25, 1864.

I HAVE the honour to report to your Lordship that Don Pio de Emparanza, the Spanish Consul and Judge of the Mixed Courts, left this Colony on the 21st instant for Europe.

On the recommendation of Don Emperanza, Don Miguel Suarez y Guanes has been provisionally recognized as Acting Spanish Vice-Consul, but I presume that special instructions will be necessary to enable him to act as Spanish Judge in accordance with despatch dated Foreign Office, November 27, 1857.

I have, &c.
(Signed) SAM. W. BLACKALL.

No. 8.

Mr. Layard to Her Majesty's Acting Judge.

Sir,

Foreign Office, June 23, 1864.

I AM directed by Earl Russell to transmit to you, for your information, copies of a letter and its inclosures from the Commander of Her Majesty's ship "Ariel,"* reporting the circumstances under which he has despatched the Spanish ship "America" to Sierra Leone for adjudication on suspicion of being engaged in the Slave Trade.

I am, &c.
(Signed) A. H. LAYARD.

No. 9.

Her Majesty's Acting Judge to Earl Russell.—(Received July 11.)

My Lord,

Sierra Leone, June 20, 1864.

I HAVE the honour to report to your Lordship that the Spanish ship "*America*," detained by Her Majesty's ship "*Ariel*," Commander Chapman, on a charge of being equipped for the Slave Trade, was brought before the British and Spanish Mixed Court of Justice in this Colony, on the 17th instant.

Don Miguel Suarez y Guanes, whom I mentioned in my despatch to your Lordship of April 25, 1864, as having been recognized by me as Acting Spanish Consul, produced a letter of appointment, a copy of which I herewith beg to inclose, as Arbitrator on the part of Spain; and he was accordingly sworn in on the above date, in order that the Court might be legally constituted for the adjudication of the case.

I have not hesitated to recognize the appointment of Don Miguel Suarez y Guanes as Arbitrator of the Court, on production of the letter signed by the Spanish Secretary of State, as I find that course was pursued in a despatch dated October 30, 1845, in the instance of Don Fabricio Potestad, a copy of which is inclosed, and not disapproved of.

But I have informed Don Miguel Suarez y Guanes that I cannot recognize him as more than Acting Consul until the arrival of his exequatur.

There being no Spanish Consul or Judge of the Mixed Court, Don Miguel Suarez y Guanes has been further sworn in as Acting Judge, and will sit with me for the adjudication of the "*America*."

I have, &c.

(Signed) SAM. W. BLACKALL.

Inclosure 1 in No. 9.

*Señor Pacheco to Señor Suarez.**28 del Abril de 1864.*

LA REINA (que Dios guarde) en atencion á las circunstancias que concurren en que se ha dignado nombrarle Vice-Consul de Espana en Sierra Leona y Arbitro del Tribunal Misto establecido en dicho punto, con el sueldo anual de 30,000 reales vellon, que señala á dichos cargos el presupuesto vigente. De real orden lo digo á V.S. para su conocimiento y satisfaccion, en la inteligencia de que deberá abonar en el Archivo de este Ministerio los derechos del titulo correspondiente.

Dios guarde, &c.

(Firmado)

T. F. PACHECO.

Inclosure 2 in No. 9.

Her Majesty's Commissioners to the Earl of Aberdeen.

My Lord,

Sierra Leone, October 30, 1845.

WE have the honour to report to your Lordship the arrival here on the 5th instant of the Spanish corvette "*Venus*," Captain Don Nicolas Manterola, from Cadiz via the Canaries, having on board Don Fabricio Potestad, Her Catholic Majesty's Judge in the British and Spanish Mixed Court of Justice established here, and Messrs. Adolfo Guillemard and Juan José Garcia, appointed Her Catholic Majesty's Consul and Vice-Consul respectively in this colony.

Don Fabricio Potestad was not provided with a Royal commission, but produced the letter of appointment he had received from the Spanish Minister, Don Francisco Martinez de la Rosa, which being considered under the circumstances sufficient authority, the customary oath of office was accordingly administered to Senor Potestad by the Chief Justice on the 10th instant; and we have since observed from Lord Castlereagh's despatch marked Spain, No. 1, of the 18th of January, 1820, that a similar difficulty having occurred on the original establishment of the British and Spanish Mixed Court, it was then settled that the signature of the Spanish Secretary of State to the Commissioner's appointment was sufficient.

The Treaty of the 28th June, 1835, providing that in case of the absence of a Spanish Arbitrator his post shall be supplied by the Spanish Consul, M. Adolfo Guillemard accordingly took the oath as Her Catholic Majesty's Arbitrator *ad interim*, at the same time that Don Fabricio Potestad was sworn in as Her Catholic Majesty's Judge.

We have, &c.

(Signed)

W. S. MELVILLE.
JAMES HOOK.

No. 10.

Earl Russell to Her Majesty's Acting Judge.

Sir,

Foreign Office, July 16, 1864.

WITH reference to my despatch of the 8th ultimo, informing you that I had received a note from the Spanish Minister at this Court, announcing the appointment of Don Miguel Suarez y Guanes to the post of Spanish Vice-Consul at Sierra Leone, and Arbitrator on the part of Spain in the British and Spanish Mixed Commission Court established in that Colony, I have now to acquaint you that the Spanish Minister has explained to me that when he announced the appointment of Señor Suarez to the posts in question, he did not intend it to be understood that that gentleman held or would receive a special nomination as Arbitrator on the part of Spain, but that he would be entitled to act as Arbitrator *ex officio* in virtue of his appointment as Vice-Consul, and in accordance with the stipulations of the Treaty, as long as there should be no other person who is to discharge this duty separately.

I am, &c.
(Signed) RUSSELL.

No. 11.

Her Majesty's Acting Judge to Earl Russell.—(Received August 9.)

My Lord,

Sierra Leone, July 13, 1864.

I HAVE the honour to transmit herewith to your Lordship a return of vessels captured on suspicion of being engaged in the Slave Trade, which have been adjudicated by the Vice-Admiralty Court in this Colony during the half-year ending 30th June, 1864, under the Act 5 Geo. IV, cap. 113.

I have, &c.
(Signed) SAM. W. BLACKALL.

Inclosure in No. 11.

RETURN of Vessels Captured on suspicion of being engaged in the Slave Trade, and Adjudicated by the Vice-Admiralty Court at Sierra Leone, from January 1 to June 30, 1864.

Name of Vessel.	Flag.	Name of Master.	Date of Seizure.	Where captured.	Property seized.	Seizor.	Date of Sentence.	Number of Slaves captured.	Number died before adjudication.	Total Number emancipated.	Tonnage, English.	Decretal part of Sentence, whether Forfeiture or Restitution.	Statute under which Sentence was passed, or prosecution instituted.	Whether property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the proceeds remain.
Canoe ...	None	George Caulker	1864 Jan. 3	Lat. Off Plantain Island Long.	Canoe and contents	J. B. Elliott, Manager, of Kent	1864 Jan. 21	6	...	6	...	Forfeiture	5 Geo. IV, cap. 113	The canoe had nothing in it, and was itself worthless. No commission of sale was moved for.
Canoe ...	Ditto	Unknown	May 26	Off Kent	Ditto	Ditto	June 20	2	...	2	...	Forfeiture of slaves	Ditto	After the slaves had been taken out of the canoe, the canoe escaped.

Sierra Leone, July 13, 1864.

(Signed) THOMAS MARSTON, Registrar.

No. 12.

Her Majesty's Acting Judge to Earl Russell.—(Received August 9.)

My Lord,

Sierra Leone, July 14, 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 8th ultimo, acquainting me that Her Majesty the Queen of Spain had been pleased to appoint Don Miguel Suarez y Guanes to be Spanish Vice-Consul at Sierra Leone, and Arbitrator in the British and Spanish Mixed Commission Court.

In my despatch to your Lordship of the 20th ultimo, I reported that Don Miguel Suarez y Guanes having produced his letter of appointment as Arbitrator on the part of Spain, was sworn in accordingly, and there being no Consul or Judge, he was further sworn in as Acting Judge, to sit with me for the adjudication of the ship "*America*."

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 13.

Her Majesty's Acting Judge to Mr. Murray.—(Received August 9.)

Sir,

Sierra Leone, July 14, 1864.

I HAVE the honour to acknowledge the receipt of your despatch of the 23rd ultimo, transmitting for my information copies of a letter and inclosures from the Commander of Her Majesty's ship "*Ariel*," respecting the detention of the Spanish ship "*America*," and also copies of two despatches from Her Majesty's Minister at Madrid, containing information respecting that vessel.

I now beg to inform you that the "*America*" is still before the Court, pending adjudication.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 14.

Her Majesty's Acting Judge to Mr. Layard.—(Received September 12.)

Sir,

Sierra Leone, July 22, 1864.

I HAVE the honour to acquaint you that no cases have been adjudicated in the several British and Foreign Mixed Courts of Justice, established in this Colony for the prevention of the illicit traffic in slaves, during the half year ended 30th June, 1864.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 15.

Her Majesty's Acting Judge to Earl Russell.—(Received September 12.)

My Lord,

Sierra Leone, July 22, 1864.

I HAVE the honour to acquaint your Lordship that no slaves have been emancipated, and consequently none registered, by the Courts of Mixed Commission at this Station during the half year ended 30th June, 1864.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 16.

Her Majesty's Acting Judge to Earl Russell.—(Received September 12.)

My Lord,

Sierra Leone, August 19, 1864.

I HAVE the honour to inform your Lordship that a ship called the "*Ricarda Schmidt*," with Italian colours, and papers, has been detained in this harbour by Lieutenant Dunlop, R.N., on suspicion of having been fitted out for the Slave Trade, and she now awaits decision in the Vice-Admiralty Court.

The "*Ricarda Schmidt*" is a fine ship of 650 tons burden. She appears to have been American built, at Kennebunk, in the year 1846. I have not been able to trace her former name, nor when she was transferred to the Italian flag.

She has a splendid second deck, and had on board 239 barrels, some containing palm oil and some with salt water.

She sailed from Genoa on the 9th December, 1863. She has no certificate of bond having been given regarding the extraordinary number of casks, but a certificate that the owner, Gerolamo Gambolata, is a man of probity, and incapable of turning them to an illegal purpose.

The venture does not, however, appear to have been on the part of the owner named in the certificate and registry, as the whole of the cargo and barrels were shipped by one E. G. Schmidt.

On her arrival here on the 26th July a passenger was landed from her, named Piaggio, very ill, and he died on the second day. I have ascertained that this man did not come out from Genoa in this vessel; that he has been four years resident at Dutch Accra, and that he has been on board this vessel during the time she has been on the coast.

The case appeared to me to be so suspicious, owing to there being no endorsement on the papers as to where the vessel had been since she left Goree on the 14th January last, the log very imperfectly kept, and no bills of sales being produced either for cargo disposed of, or oil purchased, except one book, all in the captain's handwriting, that I desired a strict examination by the Harbour Master and Collector of Customs, but those officers did not consider themselves justified in detaining her.

On 2nd August, however, she was boarded by Lieutenant Dunlop, and, as I have already mentioned, she now awaits the decision of the Judge of the Vice-Admiralty Court.

I inclose to your Lordship Lieutenant Dunlop's letter, also a protest from the captain, Casanova, with a letter to me, as Governor, from the Acting French Vice-Consul (who is also Vice-Consul for Spain), and a copy of my reply thereto.

I have, &c.

(Signed) SAM. W. BLACKALL.

Inclosure 1 in No. 16.

Lieutenant Dunlop to Governor Blackall.

Sir,

Sierra Leone, August 5, 1864.

I HAVE the honour to inform you that I have detained the vessel "*Ricarda Schmidt*," now in harbour, on suspicion of having been fitted out for the Slave Trade. The captain states that his papers are in custody of the Colonial Government, and I have to request that you will take the necessary steps to enable me to examine them, with a view to further proceedings.

I have, &c.

(Signed) J. W. DUNLOP.

Inclosure 2 in No. 16.

*Protest of Captain Casanova.**Da Bordo, Sierra Leone, 3 Agosto, 1864.*

IO sottoscritto, Capitano della nave Italiana "*Ricarda Schmidt*," appartenente al porto di Genova, proveniente dalla Costa Occidentale d'Africa, giunto in questo porto il giorno 26 Luglio per caricare per Europa, e compiuto ogni mio dovere da Capitano verso le autorità del paese, il giorno 23 proximo passato con mia massima sorpresa il Governatore, unitamente al Direttore di Dogana, mi manifestavano avere dei sospetti sul barco di mio comando, quale negriere; a tale inaspettato avviso mi recai dal Governatore, ed espostegli valide ragioni ne restò convinto.

Il giorno 31 proximo passato mentre cominciava a scaricare; mi si presenta a bordo un ufficiale di Dogana con un ordine del sullodato Governatore, nel quale comandava al Direttore di Dogana di trattenerne nuovamente il mio carico a bordo, perchè qui non vi risiedeva Console Sardo, e che perciò egli era il solo che dovesse avere le carte di bordo. Nello stesso tempo riceveva una lettera ufficiale del detto Governatore nella quale m'intimava di portargli le carte ed il giornale di bordo prima delle 3 P.M.

Recatomi all'istante dall'illustrissimo Signor Console della sullodata Maestà Imperiale, sotto la tutela del quale mi era posto, ed aveagli recato le carte di bordo, non essendovi qui Console Italiano, lo informai dell'accaduto, e prese le mie carte, ed unitele alle miei credenziali sopra il Signor Charles Heddle, negoziante di questa piazza, e sopra il Signor Hoot, banchiere di Londra, e presentato il tutto al Governatore; nonostante, non restò soddisfatto, e continuò a trattenermi il barco inoperoso; chiedendomi ora la mia corrispondenza che scripsi dalla Costa Occidentale in questa piazza per prepararmi carico senza perdita di tempo, ora i miei conti di vendite e compre fatte nella detta Costa, ora il giornale e libro di boccaporto del mio secondo; infine, dopo vessazioni infinite, il mattino del 2 corrente, mi dichiarò che il barco era libero, e che poteva continuare le mie operazioni commerciali.

Si cominciò a scaricare; verso le 2 P.M. venne a bordo un Luogotenente della Marina Reale Inglese, mi chiese le carte di bordo; risposi, essere presso le Autorità Inglesi del luogo; scese a terra, e ritornato a bordo, essendo io assente, intimò al mio secondo di sospendere il scarico, perchè egli dichiarava il barco come sospettoso di negriere, se ne impossessava avendone ampia facoltà, essendo Luogotenente della Marina Reale Inglese appartenente a Commissione a tal uopo creata.

Fece rimettere a bordo le merci che erano già dentro una barca da trasportarsi a terra, fece chiudere tutti i boccaporti.

Richiamato a bordo dal mio secondo, avvisai il suddetto ufficiale di quanto era passato col Governatore, ma visto che egli continuava a persistere nella conquista del barco, previa intimazione che rispettasse la bandiera Italiana che teneva issata al pich, che rispettasse i sudditi Italiani, che rispettasse le proprietà Italiane, mi feci scrivere dallo stesso una dichiarazione del come s'impossessava del barco, e mi arresi alla forza.

Mi occupò militarmente il barco con dodici uomini armati ed un ufficiale.

Perciò protesto altamente contro il Governo Inglese per l'impudente insulto fatto alla bandiera Italiana, sudditi e proprietà, per tutte le conseguenze, danni, ed interessi che possano derivare da un cotal atto arbitrario, per tutti gli effetti che di ragione, senza pregiudizio di qualunque altro diritto che mi venga accordato dalle vigenti leggi.

Della, &c.

(Firmato)

BARTOLOMEO CASANOVA, Capitano.
COPELLO EMANUELE, Secondo.

Inclosure 3 in No. 16,

*The Acting Vice-Consul of France to Governor Blackall.**Sierra Leone, le 3 Août, 1864.*

LE capitaine du navire Italien "*Ricarda Schmidt*," M. B. Casanova, arrivé dans ce port le 26 Juillet dernier, me supplie de vouloir bien lui prêter mon aide en ma qualité de Consul Honoraire de France par intérim, relativement à la question qui lui est suscitée, et qui a rapport au navire qu'il commande.

J'ai dû accepter avec empressement cette charge, en ce sens que je la crois conforme au droit des gens, et je ne doute pas que votre Excellence ne daigne admettre ma médiation auprès d'elle, en qualité d'Agent Consulaire de deux nations alliées de l'Italie.

Le Capitaine Casanova m'envoie une relation (ci incluse) des faits qui se sont passés sur la rade de Sierra Leone, et desquels il résulte que le Lieutenant de la Marine Royale Anglaise, M. Dunlop, s'est emparé par la force du navire "*Ricarda Schmidt*," sous le prétexte que ses papiers ne sont pas en règle.

Je crois de mon devoir d'appuyer la protestation du dit Capitaine M. Casanova, et j'ose espérer que votre Excellence daignera prendre, à ce sujet, les dispositions les plus convenables, afin de terminer au plus tôt cette affaire de la manière la plus pacifique, et en même temps la plus juste.

Je suis, &c.

Le Vice-Consul d'Espagne et Consul Honoraire de France par interim,

(Signé)

MIGUEL SUAREZ Y GUANES.

Inclosure 4 in No. 16.

Governor Blackall to the Acting Vice-Consul of France.

Sir,

Government House, Sierra Leone, August 3, 1864.

I HAVE the honour to acknowledge the receipt of your letter of this day's date, inclosing to me an account drawn up by Captain Casanova, of the Italian ship "*Ricarda Schmidt*," now in this port, of certain occurrences which have taken place with regard to the said ship since her arrival, and which appear to have resulted in the vessel being detained by Lieutenant Dunlop, of the Royal British Navy, on suspicion of having been fitted out for the Slave Trade.

This account also shows that she had been inspected by the Colonial Officers under the same suspicion, but that they did not think themselves justified in detaining her.

You further ask my permission to be considered as the Consular Agent for the Italian Government, as being already the accredited Consul for two Governments in alliance with that of Italy.

It is not necessary that I should enter on the latter question, because I have no power to interfere in the matter in dispute. The power of detaining vessels, conferred on the officers in the British navy is totally independent of any authority from me, and those officers act on their own responsibility. The English law refers the decision of such cases to a Special Court here, and to that Court alone.

It will, however, always afford me pleasure to give you any information you may require.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 17.

Her Majesty's Acting Judge to Earl Russell.—(Received September 12.)

My Lord,

Sierra Leone, August 22, 1864.

I HAVE the honour to report to your Lordship that the case of the Spanish ship "*America*" came before the Court for hearing on the 18th instant.

The proceedings lasted two days, and the Court adjourned until this day, the 22nd, when myself and Spanish colleague not agreeing—the Spanish Judge being of opinion the vessel should be released, with costs and damages, and I being of opinion she should be condemned as a lawful prize—the Arbitrator was called in, who required until Thursday, the 25th instant, to give his decision, and I am not able to communicate the result by this mail.

The evidence in the case, with the judgment, will, I hope, be forwarded to your Lordship by the mail which will leave on the 21st proximo.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 18.

Her Majesty's Acting Judge to Earl Russell.—(Received September 29.)

My Lord,

Sierra Leone, August 30, 1864.

I HAVE now the honour to inform your Lordship that judgment was pronounced on the "*America*," in the Mixed Commission Court, on the 25th instant, and the Arbitrator (his Honour Chief Justice Carr) concurring with me in opinion, the "*America*" was condemned as a lawful prize to Her Majesty's ship "*Ariel*."

The whole of the papers will be forwarded to your Lordship by the ensuing mail.

I have further to state that Captain Short, of Her Majesty's ship "*Gladiator*," has very kindly consented to convey the Master, and Spanish portion of the crew of the condemned vessel to Teneriffe, to be delivered over to the Spanish authorities; and I avail myself of the same opportunity to send this Report.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 19.

Her Majesty's Acting Judge to Earl Russell.—(Received September 29.)

My Lord,

Sierra Leone, August 30, 1864.

I HAVE the honour to inform your Lordship that a brigantine, named the "*Melvira*," having, when discovered, Italian colours, but which were subsequently hauled down by the Master, on being informed he was detained as being equipped for the Slave Trade, was brought into the Vice-Admiralty Court here on the 8th instant, and condemned as a lawful prize to Her Majesty's ship "*Dart*."

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 20.

Her Majesty's Acting Judge to Earl Russell.—(Received December 12.)

My Lord,

Sierra Leone, September 17, 1864.

I HAVE the honour to forward herewith to your Lordship all the evidence connected with the condemnation of the Spanish ship "*America*," Antonio Bisquert Master, seized by Her Majesty's ship "*Ariel*" on the 5th of April last, with the Judgments delivered severally by the two Acting Judges and the Acting Arbitrator, and the sentence of condemnation pronounced.

On perusing these papers your Lordship will perceive that a preliminary objection was taken to the jurisdiction of the Court by the Proctor for the claimant under the IIIrd Article of Annex B to the Treaty of 1835, on the ground that two months had elapsed since the case came before the Court, and no judgment had been pronounced nor security demanded. The Spanish Judge differing from me in opinion on this point, the learned Arbitrator was called on, who agreed with me that the objection be overruled.

His Honour the Chief Justice, in his Judgment as Arbitrator, has referred to various cases previously decided upon this point; but in addition to the precedents thus established, I would point out that the delay in this case was caused by circumstances over which the Court had no control, and was not from any default in either of the parties which would have justified the Court in calling for extra security.

The case was brought into Court on the 17th June, just as the wet season commenced. A delay was first occasioned by the claim of Don Miguel Suarez y Guanes to act as Judge under an authority which had not been previously preferred; a further delay took place from the illness, by fever, of Mr. Pike, one of the Surveyors; then it was found necessary to land the rice in order to examine the vessel, and the very heavy rains caused this to be a long and laborious proceeding; and it was also found necessary to measure the quantity of water which the tanks were capable of holding by pumping them out and measuring gallon by gallon.

In addition, however, much delay was naturally caused by the necessity on the part of both the Spanish Judge and myself of having various papers interpreted or translated; at a very early stage, also, the Spanish Judge differed from me in opinion on three several occasions, and these differences led to a reference to the Arbitrator, always causing a delay of two days. Time was certainly asked by and granted to each of the parties, captor and claimant, during the proceedings, but the delay was principally caused by the circumstances to which I have referred.

On carefully reading the Article I felt convinced that the words "where practicable," which occur at the commencement, were intended to have effect throughout: and this impression appears to be fully borne out by the previous decisions on this point. Indeed, I think any other interpretation might be highly dangerous to the administration of justice in this Court, for delays beyond the two months might, in most cases, be rendered, by a skilful Proctor, almost unavoidable.

A further objection was taken by the Proctor for the claimant, that Lieutenant Buckle, having allowed the ship "*America*" to go free on the 3rd, the seizure by Captain Chapman, on the 5th, was illegal; this point was considered as reserved, but was not finally pressed by the Proctor for the claimant, who must, I think, have perceived how untenable was the objection.

In the Judgment delivered by the Spanish Judge will be found some severe strictures on the conduct of the Marshal of the Court, who is accused of having acted as a partisan; as my Judgment was delivered before I heard that of the Spanish Judge, I had not an opportunity of observing on this accusation which, in my opinion, is unfounded.

I think the Marshal would have greatly neglected his duty had he failed to make known in the proper quarter the assertion of Manoel Martinez, and endeavoured to clear up the truth of his statement, which I may mention has been strongly corroborated since the condemnation of the vessel by the discovery of three boiler-lids, which do not fit any of the boilers now in the vessel, and probably belonged to those which Martinez asserts were thrown overboard.

I think it right to draw your Lordship's attention, for further inquiry, to the fact that, in the information given with regard to the sailing of this vessel from Cadiz, ostensibly for Buenos Ayres, but really for the East Coast of Africa, the captain is named "Manoel Bisquert," already known as a slave-captain. It will be found by the papers that a brother of Antonio Bisquert met the "*America*" at Mozambique in a vessel called the "*Duque de Tetuan*;" and it would be satisfactory to ascertain whether it was really Manoel or Antonio Bisquert who left Cadiz in the "*America*," and what has become of the "*Duque de Tetuan*."

I have only, in conclusion, to express my satisfaction at having been so fortunate as to have as the Acting Arbitrator in this case, a gentleman of the legal ability and experience of the Colonial Chief Justice and Judge of the Vice-Admiralty Court. The Spanish Judge, no doubt, was placed in an arduous and unpleasant position, being the only Spanish Consul present, and, therefore, looked upon by the owner and crew of the vessel as their especial protector. From an early stage, as I have observed, a difference of opinion arose on various points between the Spanish Judge and myself, and I should have had some diffidence with regard to my own decisions had I not found them on every occasion, including the Judgment, concurred in by the learned Arbitrator.

I have, &c.

(Signed) SAM. W. BLACKALL.

Inclosure 1 in No. 20.

List of Ship's Papers of the Spanish ship "America."

1. Muster roll of the ship "*America*" of 602 tons burthen, with a crew of twenty-four men, including the master. Owned by Senora Viuda de Portilla of Cadiz, and commanded by Antonio Bisquert of Denia. Attached to this document are the entries and clearances from the time she left Cadiz on the 19th February, 1863, to 30th March, 1864.
2. Log-book of the master Antonio Bisquert.
3. Bill of health from Mozambique dated 15th September, 1863.
4. Royal passport dated at the Palace on the 31st March, 1862, issued at Cadiz on the 22nd August of the same year.
5. Another log-book of the master.
6. Account of cargo delivered at Mozambique and Zanzibar from 22nd July, 1863, to 11th February, 1864.
7. Log-book of Manoel Aveno, the mate.
- 8 to 15. Certificates of matriculation of the crew.
16. Certificate of matriculation of Antonio Bisquert as pilot of the second class, dated at Cartagena, 17th March, 1858.
- 17 to 23. Certificates of matriculation of the crew.
24. Passport for D. T. Narana, native of Brazil, to proceed from Havana to Buenos Ayres dated at Havana, 11th April, 1862.
25. Bill of health from Inhambane, dated 7th July, 1863, endorsed at Mozambique, 15th September, 1863.
26. Certificate of matriculation of Manoel Aveno as 3rd pilot, dated at Cartagena, 6th May, 1862.
27. Manifest of the cargo shipped at Zanzibar, and declared before Mr. Hines, the United States' Consul at that place, dated 22nd December, 1863.
28. Receipt for port dues of the "*America*" at Mozambique.
29. Certificate of disembarkation of a seaman at Cadiz.
30. Invoice of goods shipped at Zanzibar.
31. Certificate of matriculation of José Ripoll as quarter-master, dated at Cartagena, 30th April, 1851.

Inclosure 2 in No. 20.

*Evidence in the case of the ship "America."**Captor's Declaration.*

I, the Undersigned, William Cox Chapman, holding the rank of Commander in Her Britannic Majesty's navy, and commanding Her Majesty's ship "Ariel," duly authorized by the Treaty between Great Britain and Spain, dated the 28th June, 1835, for the suppression of the Slave Trade, do hereby declare that on the 5th day of April, 1864, being in latitude 13° 57' south, and longitude 46° 4' east of Greenwich, I seized the Spanish ship "America," whereof Antonio Bisquert is master, for having violated the said Treaty, and I further declare that the vessel had on board at the time of seizure a crew of 20 persons, no passengers, and no slaves. And I do also declare that I found this vessel in the following state, completely fitted for the Slave Trade, as follows:—

2. Four bulk-heads or divisions with several loose planks, and four tons of ebony which would make another slave-deck, a quantity of staves, &c.

3. A main-deck thoroughly adapted for the conveyance of slaves.

4. Some slave stocks.

5. A larger quantity of water both in casks and tanks than requisite for the crew of the vessel.

6. An extraordinary number of water-casks, and no certificate produced from any Custom-house for the same, and no security that such vessels should only be used for lawful commerce only.

7. A larger quantity of mess gear than requisite for the crew of the vessel.

8. Cooking range much larger than requisite for the crew of the vessel.

9. A very large quantity of rice in husk, upwards of 100 tons, and not entered on the manifest as part cargo for trade; also 4,000 cocoa nuts, both slave food. This vessel arrived at Mozambique in July 1863, and was immediately reported by the Governor-General of Mozambique to the senior officer of Her Majesty's ships on the East Coast of Africa, as being about to engage in the Slave Trade. She left Mozambique and arrived at Zanzibar on the 4th October, 1863, having no ostensible object in view. At this port she had much difficulty in getting an agent, the French Consul who usually acts for Spain objecting to have anything to do with her; eventually a German merchant named Mr. Renber, and Mr. Hines, an American merchant, supplied her with a very small portion of cargo (cloves) which was taken in as a blind, and which even the merchants (European at Zanzibar) laughed at. She then left for Mozambique, having been under the surveillance of Her Majesty's cruisers the whole time. At Mozambique she remained some time, and during the temporary absence of Her Majesty's ship "Orestes," who had been watching her some two months, and left her with sails unbent—she sailed, and was subsequently found at Nos Beh the latter end of last month by this ship.

I should here remark that by the log of the "America," she appears to have arrived on the 5th March, 1864, whereas by the French official certificate of arrival she arrived on the 16th, thereby a discrepancy of ten days existing, during which time she may have visited a port in Madagascar, where her slaves were being collected.

I heard in Nos Beh that the "America" was waiting for a brig which was to bring her rice (in the shuck); it was also reported that she was to proceed to a certain rendezvous where she was to meet a vessel with a cargo of slaves. At Majunga it was also reported that in the vicinity of Villa Maca a great number of slaves were collected (several native dhows having brought cargoes from the Coast of Africa, and as I heard) for a large European ship which was expected.

The "America" was boarded in longitude 46° 55' east, and latitude 13° 45' south, by Her Majesty's ship "Ariel" on the 3rd instant, and was followed until the 5th instant, when she was again boarded by me accompanied by the first and second Lieutenants, and the master informed me that he was bound direct to Cadiz, which appeared to me to be decidedly suspicious, as the cargo on board for so large a ship was absurdly small—in fact, not even ballast; viz., 4 tons of ebony, 123 tons of rice (in the husk, scarcely saleable in European markets), 1,800 bags of cloves, worth very little, and 4,000 cocoa nuts, the latter and the rice being slave food, but the rice not entered on the manifest; and I at once decided on placing a prize crew on board to take her to Sierra Leone to be adjudicated before the Mixed Commission Court, as it would not delay the ship very materially, the master having informed me he was bound direct to Cadiz, and I thought it would be a great blow to the Traffic in Slaves on the East Coast of Africa to prevent him shipping his cargo, having heard that 4 vessels are employed by the same owners with the same object in view.

Given under my hand this 5th day of April, 1864.

(Signed)

W. C. CHAPMAN, Commander,
Commanding Her Majesty's ship "Ariel."

Affidavit of Seizure.

In the British and Spanish Mixed Court of Justice. Colony of Sierra Leone.

Our Sovereign Lady the Queen against the Spanish ship or vessel "America," whereof Antonio Bisquert was master, her tackle, apparel, and furniture, and the goods, wares, and merchandize on board the same, taken and seized by William Cox Chapman, Esquire, Commander of Her Majesty's steam-ship "Ariel," and against all persons in general, having, or pretending to have any right, title, or interest therein.

I, Martin Julius Dunlop, Lieutenant of Her Majesty's steam-ship "Ariel," William Cox Chapman, Esquire, Commander, being duly sworn, make oath and say as follows, that is to say:—

1. That the said Commander is duly authorized and empowered according to the Treaty entered into between Great Britain and Spain, signed at Madrid on the 28th day of June, 1835, by a warrant from the Lords of the Admiralty, to make seizures of Spanish vessels engaged in and equipped for the Slave Trade.

2. That from information given by the Governor-General of Mozambique to the Senior Officer on the Eastern Coast of Africa, and also from information received by the Commander-in-chief from the Secretary of State for Foreign Affairs, that the ship "America," under Spanish colours, was denounced as suspected of being engaged in the Slave Trade, and which information was communicated to the said Commander by those officers, who were at the same time ordered to watch the movements of the said vessel, and proceed to Nos Beh, a French port on the north-west coast of Madagascar, to which place we proceeded, and on our arrival there we found

her at anchor, and we were there informed that a small vessel was daily expected to join her, and a few days afterwards a brig arrived there, and transferred her cargo of rice on board the "*America*."

3. We then proceeded to Bembatooka, about 200 miles to the southward of Nos Beh, where there is a considerable traffic in slaves, and we were there told that upward of 1,000 slaves were being collected to be shipped in a European vessel which was daily expected to arrive there. We thereupon again proceeded towards Nos Beh, supposing that the "*America*" was the vessel alluded to, and on the 5th day of April, 1864, being in latitude 13° 57' south, and longitude 46° 4' east of Greenwich, a ship under Spanish colours was met with by us about 150 miles to the westward of Nos Beh, and I accompanied the Commander on board of the said ship to ascertain her character and occupation, and upon boarding her we found that she was the said ship "*America*," commanded by one Antonio Bisquert, with a crew of twenty persons, and upon searching the hold of the said ship we ascertained she had on board of her the following articles of Slave Trade equipment, namely,—

- (1.) A second or main deck fore and aft.
- (2.) A set of wooden stocks, with holes for shackling the feet, capable of containing twelve persons.
- (3.) Sixteen large water-casks, and three large iron tanks, capable of containing about 5,000 gallons of water, to the best of my knowledge and belief, a quantity much more than requisite for the use of the crew of the vessel as a merchant-vessel; no certificate having been produced by the master from the Custom-house at the place from whence he cleared outwards, stating that security had been given by the owners of such vessel that such quantity of casks and other vessels should only be used for the reception of palm oil, or other purposes of lawful commerce.
- (4.) A large quantity of mess gear, consisting of tin drinking cups, earthenware and tin vessels which could be used as mess kids.
- (5.) Four extra boilers in the hold in addition to the boilers on deck for the use of the crew.
- (6.) About 130 tons of rough rice, as I have been informed by the master, 3 cwt. of clean rice, 8 large bags of calavances, 6 barrels of beef and pork, 6 barrels and 3 cases of flour, and 19 barrels of biscuit to the best of my knowledge and belief, being a quantity of food beyond what might probably be requisite for the use of the crew of the vessel, the same not being entered on the manifest as part of the cargo for trade.

4. That upon ascertaining these facts the Commander seized the said ship by reason of her being equipped for and engaged in the Slave Trade, contrary to the provisions of the before mentioned Treaty between Great Britain and Spain.

5. That the undermentioned papers and documents now also produced, were given or delivered up to the Commander by the said master in my presence, and they are the whole of the documents, papers, and writings given or delivered up to the said Commander at the time of the seizure of the said ship, who placed the same in my hands, and they are now brought and delivered up in the same plight and condition as when received by me from the said Commander, without any fraud, addition, subtraction, alteration, or embezzlement whatever, save the numbering and marking thereof, and they are hereunder specified and described as follows:—

- No. 1. Muster roll.
- No. 2. Log book.
- No. 3. Bill of health.
- No. 4. Spanish passport.
- No. 5. Log book.
- No. 6. List of articles received on board.
- No. 7. Captain's log.
- A tin case containing the following papers:—
- Nos. 8 to 24. 17 private passports.
- No. 25. Certificate from Governor of Inhambane.
- No. 26. Ditto from Captain-General of Carthage.
- No. 27. Manifest of cargo.
- No. 28. Port charges at Mozambique.
- No. 29. Certificate of disembarkation of a seaman at Cadiz.
- No. 30. Invoice of goods.
- No. 31. Certificate of José Ripoll.

6. That after the seizure of the said ship I was placed on board as prize officer, and I arrived at this port in the evening of the 14th instant.

7. That the several documents relating to the seizure are, to the best of my knowledge and belief, true and genuine.

8. And lastly, that no change has taken place in the said ship, her hull, or stores, since the time of seizure, save and except the taking in of water at the Cape of Good Hope, and the use of provisions, fuel, and water on the passage up, the crew having lived entirely upon the ship's stores, and that the master and remainder of the crew have been brought to this port.

(Signed) M. J. DUNLOP, *Lieutenant*.

On the 17th day of June, 1864, the said Lieutenant Martin Julius Dunlop was duly sworn to the truth of this Affidavit.

Before me,
(Signed) WM. SMITH, *Registrar*.

Examination of the Master on Standing and Standing Special Interrogatories.

In the case of the ship "*America*," Antonio Bisquert, Master. Monday, June 20, 1864.

Antonio Bisquert, master of the said vessel, being produced, sworn, and examined on standing and standing special interrogatories, deposes and saith as follows, viz:—

That he was born in Denia, in the Province of Valencia, where he has always resided. He is a Spanish subject, and has never been the subject of any other nation. Witness is married, and his wife resides in Denia. Witness was appointed to the command of the vessel by the Widow Portilla, who has a mercantile house at Cadiz, and where she resides. Witness thinks she is a Spanish subject. Possession of the vessel was given to him by Antonio Portilla, son of the Widow Portilla, some time in June or July 1862. He cannot remember the exact date. Antonio Portilla lives at Cadiz, and is a Spanish subject. Has known the vessel since 1862. She was built at Sorrosa in Bilbao.

He was present at the capture of the detained vessel. Does not know why she was seized. She sailed under Spanish colours, and there were also a few signal flags on board.

The name of the vessel is "*America*." She has borne that name since witness has known her. She is 602 tons burthen. There were two officers, exclusive of witness, thirteen mariners, one cook, one steward, and two boys on board the ship. They were Spaniards, Portuguese, and Italians. Part were shipped at Cadiz in February, 1863, and part in Buenos Ayres in May of the same year by witness.

That neither witness nor any of the officers or mariners on board had any share or interest in the "*America*." She took twenty-six passengers from Cadiz to Buenos Ayres, where twenty-four were landed; the remaining two came in her to the East Coast of Africa, where one of them, by the name of John Edgar, an Englishman, died on shore at Mozambique, and the other, by the name of José Ripoll, died at Inhambane. Witness does not know the occupation of the passengers landed at Buenos Ayres, but John Edgar was an engineer by profession. He was sent by the owner of the vessel to put up an engine for cleaning rice at Mozambique. The other passenger, José Ripoll, was an agent for the house of Viuda de Portilla. Witness does not know whether any of the said passengers had any interest in the vessel.

The voyage began and was to have ended at Cadiz. From Cadiz the detained vessel went direct to Buenos Ayres, whence she afterwards cleared for Mozambique. The vessel then proceeded to Inhambane; but being unable to enter that port, in consequence of the shallowness of water, she went to Mozambique. The detained vessel touched at Inhambane for trading purposes, as well as to recover debts due to the owner of the vessel, and at Mozambique to land the engine, and where some of the cargo was exchanged for rice, and part disposed of for the purpose of purchasing rice for the engine. From Mozambique the vessel went to Zanzibar, where some of the cargo was also disposed of, and witness purchased 1,800 bags of cloves, 4 tons of ebony, and between 4,000 and 5,000 cocoa nuts. The detained vessel then returned to Mozambique, where witness, finding a Spanish barque called "*Duque de Tetuan*," belonging to the same owner, bound to Spain, he transferred to her the rice he left at Mozambique, together with 1,000 bags of cloves, and the engine to be conveyed to Cadiz. Afterwards witness left some of the cargo at Mozambique in charge of the first mate and one sailor to dispose of, while the vessel sailed for Nos Beh for the express purpose of purchasing rice, and whence 125 or 130 tons of rough rice were shipped. There being no more rice to be purchased at Nos Beh, the vessel cleared for Cadiz; but it was witness' intention to have called at Mozambique for a short time to look after the cargo he left there, and take up the first mate, but was prevented by being detained by Her Majesty's steam-ship "*Ariel*," before the vessel reached Mozambique.

Witness cannot state in what latitude the capturing vessel was first seen. The detained vessel was first visited at sea by two officers and sailors to search her on the 5th of April last; and after examining her and the papers of the ship, they returned to the capturing vessel. On the following day she was visited by the Commander of the "*Ariel*," with two or three officers, when the vessel was detained. There was no chase. The vessel was steering for Cadiz at the time of capture. Her course was not altered, nor any additional sail made on the appearance of the man-of-war. Her course was at all times, when the weather would permit, directed to the places where she was destined by the papers.

There were two guns mounted on board, and there are a few muskets, bayonets, and pistols. No resistance was made at the time of capture, nor were there any instructions to resist or to refuse to deliver up any of the ship's papers.

Viuda de Portilla is the owner of the vessel. Witness knows it, because she made him the master of the vessel. Thinks she is a Spanish subject, and resides at Cadiz.

Witness knows nothing about a bill of sale, nor the price paid for the vessel. The detained vessel, if restored, will belong to Viuda de Portilla.

The outward cargo was consigned to witness, but the homeward cargo is consigned to Viuda de Portilla to be delivered at Cadiz. The cargo, if restored, will belong to her.

The lading of the vessel on her last voyage from Cadiz to New York consisted of salt and cork. The cargo on board consists of rice, cloves, ebony, cocoa nuts, and leaden paper, and will belong to Viuda de Portilla if restored.

The passport and other papers which were found on board are entirely true and fair. Knows of nothing to affect their credit. None of the papers have been burnt, torn, thrown overboard, destroyed, concealed, or made away with. There are no papers relative to the vessel and cargo in any other country to witness' knowledge. There was no charter-party. Witness does not know whether the vessel and cargo are insured.

Bulk was broken at Buenos Ayres, where half of the cargo was landed, and afterwards at Mozambique, and at the different ports at which the vessel subsequently touched.

No slave or slaves have been put on board for the purpose of the Traffic in Slaves during the voyage. No stores, sails, or any other articles whatever were taken out of the detained vessel at the time of capture. Nothing has been removed from the vessel since her arrival here, to witness' knowledge.

He does not know the rank of the officer who conducted the search of the vessel. He has been well treated.

Standing Special Interrogatories.

The hatches of the vessel are not fitted with open gratings. The combings of the hatchways are not bored, nor are there any iron bolts or bars to fit them. There are two bulkheads in the vessel, one dividing the provision-room from the hold, and the other dividing the hold from the store-room. There are three or four inch planks on board for the repairs of the vessel. There is a narrow deck laid at the sides of the main hold to receive cargo. There are no shackles, bolts, or handcuffs on board, but there is a pair of wooden stocks with about nine or ten holes in both of them. There are three iron tanks and fifteen or sixteen water-casks on board, and about a dozen empty wine barrels, which are bored and of no service. Cannot say how many gallons of water the three tanks and sixteen water-casks are capable of containing. The three tanks and eight casks were full of water at the time of capture. There are about two or three good mess-kids and eight or nine useless ones on board, and about 200 or 300 earthenware plates for the use of the passengers. There is one middling-size boiler on board which was used for the passengers, and a few small boilers for the use of the officers and crew of the vessel. There are about 125 or 130 tons of rough rice on board, which form part of the cargo of the ship, about 80 lbs. of clean rice, 1 barrel and 3 boxes of flour, 1 barrel of bread, about 50 lbs. of coffee, about 100 lbs. of sugar, 3 or 4 lbs. of tea, 5 or 6 jars of oil, 2 or three barrels of beef and pork, 2 or three bags of peas, 5 or 6 boxes of vermicelli, and some preserved meat for the use of the officers and crew of the vessel.

(Signed)

ANTONIO BISQUERT.

This examination was taken and the truth thereof sworn to through the interpretation of Alexander Boucaud, who was first sworn faithfully to interpret between the parties in this cause.

(Signed) ALEXANDER BOUCAUD.]

Before me,

(Signed) WM. SMITH, Registrar.

Examination of the Mate on Standing and Standing Special Interrogatories.

In the case of the ship "*America*," Antonio Bisquert, Master. Monday, June 20, 1864.

Manoel Aveno, mate of the said vessel, being produced, sworn, and examined on standing and standing special interrogatories, deposeth and saith as follows, viz. :—

That Antonio Bisquert is the name of the master of the detained vessel. Has known him for one or two years. He was born in Denia, in the province of Valencia, where he has always resided to witness' knowledge. Has heard that the captain is married, and his wife lives at Denia.

Witness thinks that the owner, Viuda de Portilla, appointed the master to the command of the vessel. Has only known the detained vessel since the commencement of the voyage. She is reported to be built at Bilbao.

Was present at the time of capture. Does not know why she was seized. She sailed under Spanish colours, and had no others to witness' knowledge.

The name of the detained vessel is "*America*." Has known her since he joined her. He does not know whether she has borne any other name. Witness thinks she is 602 tons burthen, but is not certain. There were nineteen officers and mariners, exclusive of the master. They were Spaniards, Portuguese, and Italians. Witness does not know who shipped them; some came on board at Cadiz, and some at Buenos Ayres.

Witness has no interest in the vessel, nor does he know whether any of the other officers or mariners had. He is a mate on board. The vessel took passengers from Cadiz to Buenos Ayres, but he cannot tell the number. They all disembarked at Buenos Ayres, except two who came to Mozambique with the vessel. He does not know whether the said passengers had any interest in the vessel, nor whether they had any concern or authority, directly or indirectly, as regards the ship or cargo. The voyage began and was to have ended at Cadiz, whence the vessel cleared direct for Buenos Ayres, where part of the cargo and the passengers were landed. From Buenos Ayres the vessel cleared for Inhambane, whither she proceeded direct; but being unable to get in on account of the shallowness of water, the vessel went to Mozambique to dispose of some of the cargo, and also to land an engine which they brought from Cadiz. The detained vessel then proceeded to Zanzibar, where a small portion of the cargo was disposed of, and 1,800 bags of cloves purchased and shipped on board the ship. The vessel then returned to Mozambique, where the remaining cargo was discharged, and where the master transhipped on board the barque "*Duque de Tetuan*" 1,600 bags of cloves and some rough rice, the quantity of which he cannot say, to be conveyed to Cadiz. Afterwards the vessel proceeded to Nos Beh to purchase rice, where they purchased above 100 tons. There being no more rice to be procured, the vessel cleared for Cadiz with the intention of calling at Mozambique to inquire about the cargo left there in charge of the mate and one seaman; but before reaching Mozambique the vessel was detained by Her Majesty's ship "*Ariel*."

Witness does not know the latitude in which the capturing ship was first seen, nor the date of the month. It was at sea. A boat from the man-of-war with an officer visited the "*America*," and after searching her and examining her papers she returned to the capturing ship. The next day the boat returned to the "*America*," when she was detained. There was no chase, nor was her course altered on the appearance of the man-of-war. The course of the vessel was at all times, when the weather would permit, directed to the places for which she was destined by her papers.

There are two guns mounted on board, and some muskets, but witness does not know the quantity. No resistance was made at the time of capture, nor were there any instructions to destroy, conceal, or refuse to deliver up any of the ship's papers.

Witness has heard that Viuda de Portilla is the owner of the vessel, and that she lives at Cadiz. He does not know of what nation she is, nor how long she has lived there. He does not know whether there was any bill of sale made to the owner of the vessel, nor the price paid for her; but believes that the vessel, if restored, will belong to Viuda de Portilla, because he has never heard the name of any other owner.

The outward cargo was consigned to the master, but he cannot tell to whom the homeward cargo is consigned, nor does he know to whom it will belong, if restored. Witness does not know the lading of the vessel, on her last voyage. The present cargo consists of rice, cloves, ebony, and cocoa nuts.

Witness believes that the passport and other papers found on board the ship are entirely true, and fair. Knows of nothing to affect their credit. That no papers or writings belonging to the detained vessel have been burnt, torn, thrown overboard, destroyed, or concealed. That he does not know whether there are in any country, any papers relative to the ship or cargo. There was no charter-party to witness's knowledge. He does not know if the vessel is insured.

Bulk was broken at Buenos Ayres, where part of the cargo was landed, and subsequently at Mozambique, and other places to which the vessel proceeded during the trading voyage.

No slave or slaves have been put on board the vessel for the purpose of the Traffic in Slaves during the voyage. No stores, sails, or any other articles whatever, were taken out of the detained vessel at the time of capture. Nothing has been removed from her since her arrival here. That he does not know the rank of the officer who conducted the search. He has been well treated.

Standing Special Interrogatories.

The hatches of the vessel are not fitted with open gratings. The combings of the hatchways are not bored, nor are there any iron bars or bolts on board. There are two bulkheads in the hold of the vessel. There are two or three planks on board for the use of the vessel. There is a narrow deck laid at the sides of the mainhold to receive cargo. There are no shackles, bolts, or handcuffs on board. There are three tanks and 15 or 16 water-casks; also some empty wine-casks which are of no use, having holes in them. Does not know the exact quantity of water the said tanks and water-casks are capable of containing. There are some mess kids and plates on board for the use of the officers and crew, but witness cannot tell their number. There are small iron boilers on board for the use of the crew, and a middling size one which was used for the passengers. There are about 100 or 120 tons of rough rice which formed part of the cargo, also 1 quintal of clean rice, 1 barrel and 3

boxes of flour, 2 or 3 bags of peas, 2 or 3 bags of vermicelli, 1 or 2 barrels of pork, and a small quantity of sugar for the use of the officers and crew of the vessel.

(Signed) MANUEL AVENO.

This examination was taken, and the truth thereof sworn to through the interpretation of Alexander Boucaud, who was first duly sworn faithfully to interpret between the parties in this cause.

(Signed) ALEXANDER BOUCAUD.

Before me,

(Signed) WM. SMITH, Registrar.

Examination of the Boatswain on Standing and Standing Special Interrogatories.

In the case of the ship "*America*," Antonio Bisquert, Master. Tuesday, June 21, 1864.

Francisco Morales, boatswain of the said vessel, being produced, sworn, and examined on standing and standing special interrogatories, deposeth and saith as follows, viz :—

That the master of the said vessel is named Antonio Bisquert. Has only known him from the commencement of the voyage. He does not know where he lives, nor whether he is married. He does not know who appointed the master to the command of the vessel. Witness found the captain on board when he was shipped, and therefore cannot say when he took possession of her, nor by whom such possession was given to him. He first saw the vessel at Cadiz about 16 or 17 months ago. Does not know where she was built. He was on board at the detention of the ship. Does not know why she was seized. She sailed under Spanish colours, and had no others on board to witness' knowledge.

The name of the detained vessel is "*America*." He does not know how long she has borne that name, nor the tonnage of the vessel. There were 19 officers and mariners on board exclusive of the master. They were Spaniards and Portuguese, some were shipped at Cadiz, and others at Buenos Ayres, but he does not know by whom they were employed. Witness was engaged by the captain at Cadiz about a year and five months ago.

He does not know whether any of the officers or mariners had any share or interest in the vessel or cargo. He is boatswain on board. There were passengers on board, but witness cannot tell their number. They were all landed at Buenos Ayres but two, who came to the East Coast of Africa with the vessel; one of them died at Inhambane, and the other at Mozambique. The passengers landed at Buenos Ayres were Spaniards. One of the passengers who came to the coast was an Englishman whose name he did not know, the other was a Spaniard by the name of José Ripoll. He does not know whether any of the said passengers had any interest in the vessel; they did not manifest any authority on board.

The voyage began and was to have ended at Cadiz. From Cadiz the vessel cleared for Buenos Ayres, where most of the passengers were landed, and a portion of the cargo. The vessel then went direct to Inhambane in the Mozambique Channel, but being unable to enter the port she proceeded to Mozambique, where they landed the engine they had on board, and disposed of some of the cargo. Afterwards the vessel proceeded to Zanzibar to sell more of the cargo and purchase cloves, and where 1,800 bags of cloves were shipped. The detained vessel returned to Mozambique, where they transferred 1,000 bags of cloves and the engine to a Spanish barque "*Duque de Tetuan*" to be conveyed to Cadiz, and after landing the remainder of the cargo there in charge of the first mate and a seaman, the vessel proceeded to Nos Beh to purchase rice, and where they shipped between 125 and 130 tons of rough rice, which is now on board the "*America*." The detained vessel was returning to Mozambique to look after the cargo left there and to take in the mate and seaman, and to proceed to Cadiz, when she was intercepted by the English man-of-war.

He does not know the latitude in which the capturing ship was seen. There was no chase, nor was there any attempt to escape capture. The vessel was steering for Mozambique to take up the first mate and seaman they had left there at the time of capture. Her course was at all times, when the weather would permit, directed to the port to which she was destined by her papers.

There are two guns mounted on board, and there are also about 17 or 18 muskets. No resistance was made at the time of capture, nor were there any instructions to resist or to refuse to deliver up any of the ship's papers.

Witness does not know who is the owner of the vessel, nor of what country such owner is subject, nor where he resides. He does not know whether there was any bill of sale made to the aforesaid owner, nor the price paid for the vessel, nor to whom the ship will belong if restored.

That he does not know who are the owners or consignees of the cargo on board. He does not know the lading of the vessel on her last voyage. The cargo on board consists of rough rice, cloves, ebony, 4,000 or 5,000 cocoa nuts, and eight or nine boxes of leaden papers.

He believes that the passport and other papers which were found on board the vessel are true and fair. Knows of nothing to affect their credit. That none of the papers of the vessel have been burnt, torn, thrown overboard, destroyed, concealed, or made away with. He does not know whether there are in any country any papers belonging to the vessel and cargo. He does not know whether there was any charter-party. He does not know whether the vessel is insured.

Bulk was first broken at Buenos Ayres, and afterwards at Mozambique and Zanzibar. That no slave or slaves have been put on board for the purpose of the traffic in slaves during the voyage. No stores or any other articles were taken out of the detained vessel at the time of capture. Nothing has been removed from her since her arrival here. He does not know the rank of the officer who conducted the search. He has been well-treated.

Standing Special Interrogatories.

The hatches of the vessel are not fitted with open gratings. The combings of the hatchways are not bored, nor are there any iron bars on board. There is only one bulkhead in the hold of the vessel. There are only a few planks on board for the repairs of the ship. There is a narrow deck laid at the sides of the main hold to enable the sailors to pass backwards and forwards, and also to receive cargo.

There are no shackles, bolts, or handcuffs on board, but there is one wooden stock. There are about fourteen or fifteen water-casks, some of which cannot hold water, three iron tanks, and about fourteen or fifteen empty wine barrels. The water-casks and the tanks are capable of containing forty pipes of water. There are a few cooking utensils on board for the use of the crew. There are a few mess kids, but he does not know their number.

There are about 125 or 130 tons of rough rice which form part of the cargo, and there is a small quantity of clean rice, peas, and flour, for the use of the officers and crew of the vessel.

(Signed) FRANCISCO ^{his} MORALES.
mark.

This examination was taken and the truth thereof sworn to through the interpretation of Alexander Boucaud, who was first duly sworn faithfully to interpret between the parties in this cause.

(Signed) ALEXANDER BOUCAUD.

Before me,
(Signed) WM. SMITH, Registrar.

Claim of the Master for the Vessel and Cargo.

Ship "America," Antonio Bisquert, Master. June 24, 1864.

The claim of the said Antonio Bisquert, the master of the said ship "America," a subject of Her Catholic Majesty the Queen of Spain, for the said ship, her tackle, apparel, and furniture, goods, wares, and merchandize, as were on board the said ship at the time of the capture thereof by Her Majesty's ship "Ariel," William Cox Chapman, Esquire, Commander, and brought to Sierra Leone, and for the said ship, her tackle, apparel, and furniture, the sole property of Mrs. Widow Portilla, an inhabitant and native of Cadiz, and her cargo, the sole property of the said Mrs. Widow Portilla, and as protected by the Treaty or Convention between Her Britannic Majesty and Her said Catholic Majesty, signed at Madrid on the 28th day of June, 1835, and for all costs, charges, losses, damages, demurrage, and expenses, as have arisen, or shall or may arise, by means of the capture and detention of the said ship and her cargo as aforesaid.

(Signed) ANTONIO BISQUERT.

Affidavit of the Master in support of the Claim.

Ship "America," Antonio Bisquert, Master. June 24, 1864.

Appeared personally, the said Antonio Bisquert the master of the said ship, and maketh oath that he is a subject of Her Catholic Majesty the Queen of Spain, and was master of the said ship at the time of the capture thereof by Her Majesty's ship "Ariel," William Cox Chapman, Esquire, Commander, and that the said ship was so captured on the 5th day of April last past, in the prosecution of her voyage from Nos Beh, on the Coast of Madagascar, to Cadiz, with a cargo consisting of general merchandize, and brought to Sierra Leone; and he further maketh oath and saith that Mrs. Widow Portilla of Cadiz, a subject of Her said Catholic Majesty, was at the time of the said capture, and now is, the true, lawful, and sole owner and proprietor of the said ship "America," her tackle, apparel, and furniture, and of the said cargo on board the same. And the deponent further maketh oath that he verily believes the said ship and cargo are protected by the Treaty or Convention between Her Britannic Majesty and Her said Catholic Majesty, and he further maketh oath that no person or persons other than the person before mentioned hath or have any right, title, or interest in the said ship, her tackle, apparel, and furniture, goods, wares, and merchandize on board the same, at the time of capture and seizure thereof; and that he is duly authorized to make the claim hereunto annexed, and that the same is a true and just claim, and that he shall be able to make due proof and specification thereof.

(Signed) ANTONIO BISQUERT.

On the 27th day of June, 1864, the said Antonio Bisquert was duly sworn to the truth of this affidavit, and of the claim hereunto annexed, the same having been first read and explained to him through the interpretation of Victor Baresté, who was first sworn faithfully to interpret between the parties in this cause.

(Signed) VICTOR BARESTE.

Before me,
(Signed) WM. SMITH, Registrar.

Examination of the Master on Special Interrogatories.

In the case of the ship "America," Antonio Bisquert, Master. Thursday, June 30, 1864.

The master of the said vessel being produced, sworn, and examined on special interrogatories put on behalf of the captors by permission of the Judges of the said Court, deposeth and saith as follows, viz:—

That the name of the master of the "Duque de Tetuan," to which vessel he transferred some rice and other articles at Mozambique to be conveyed to Cadiz, is Manuel Bisquert, a brother to witness. That the detained vessel called at Algoa Bay on her passage to this port for a supply of water and provisions. There was then about twenty-four or twenty-five days' supply of water on board. Witness cannot recollect the date of their arrival at Algoa Bay, but the vessel remained there for two days and a-half.

(Signed) ANTONIO BISQUERT.

This examination was taken and the truth thereof sworn to through the interpretation of Alexander Boucaud, who was first duly sworn faithfully to interpret between the parties in this cause.

(Signed) ALEXANDER BOUCAUD.

Before me,
(Signed) WM. SMITH, Registrar.

Surveyors' Report.

In the case of the Spanish ship "*America*," whereof Antonio Bisquert was Master.

To their Honours the Judges of the said Court.

In pursuance of a Commission of Survey and Inspection to us directed, dated the 23rd day of June, 1864, we proceeded on the 24th of June and following days, 27th, 4th of July, 11th, 13th, 15th, and 16th, and inspecting the hatchways we found them fitted with the close hatches usual in merchant ships, which we had removed to allow us to go below for the purpose of thoroughly examining the ship and cargo on board of her.

1st. We found the hold encumbered with ballast about 150 tons, on top of which was stowed, in bulk, a large quantity of rough rice, or rice in the husk, about 140 tons or thereabouts, also a quantity in bags. Finding it impossible to get at the bottom of the ship, we recommended that a portion of the rice should be landed, and the rest trimmed into the mainhold to allow us to examine the fore hold and peak.

2ndly. We found the ship had permanent lower deck beams, built with the ship, running fore and aft the hold, on which there still remained a large portion of deck secured in the usual manner to the beams, affording a height of 5 feet 9 inches between the upper part of the lower deck, and lower part of the upper deck beams. The fore hold having been cleared, as also the fore peak, we thoroughly searched them, and lifted the limber boards and searched between the limbers; we also found in the fore hold between decks, 31 demijohns empty, capable of containing 4 gallons each, or 120 gallons in all. We recommended the rice to be shifted aft; and ballast forward, to clear the main hold for inspection.

3rd. In the main hold, between decks, we found one pair of leg stocks, capable of securing twelve persons. We have here to remark these are unusual in merchant trading ships. The lower main hold having been cleared to the bottom, we searched it minutely, lifting limber boards and feeling the limbers; we also recommended the cargo and ballast should be shifted from the after hold into the main for further survey.

4th. We visited the "*America*" in furtherance of our survey, and examined the after hold and store room, the latter being parted off from the hold by means of a bulk-head. We found in the lower hold about fifty billets of ebony, about 8 feet in length, also a number of cocoa nuts loose; these we had shifted to enable us to lift the limber boards, search the limbers, and removed three planks from the pump well, and chain locker. In the run we found three iron tanks for containing water, two above and one below; between decks we found 13 empty casks, each capable of containing 130 gallons, and 12 kegs (empty), capable of containing 15 gallons each. On searching the after store room, which we entered through a small scuttle in the cabin deck, we found it fitted with a sail locker, the port side containing sails, and a similar locker the starboard side, containing 2 bags about three bushels each of small beans or calavances, also 3 cases of maccaroni. All round the stern and transoms were lockers containing various articles of crockery, cutlery, &c. We found in a cask with one head out, various articles of culinary purposes, among which were 76 tin drinking mugs or pannikins, each holding about half-a-pint, and triced up to the beams were 25 tin tubes or suction pipes for sucking water from a cask or tub. These are very unusual in merchant trading ships.

5th. We again proceeded on board detained ship "*America*," and having had the whole of the bags of cloves (forming a part of the cargo) shifted, we put on one side one bag in every fifty (there being about 800 bags in all); these reserved bags we turned out and examined them. Finding they contained nothing but cloves we had them returned to their bags.

6th. It being considered absolutely necessary that the exact quantity of water the three iron tanks before-named are capable of containing should be proved beyond doubt, we arranged to fill the two upper tanks with water, and measure them off by Imperial gallon measure into the lower tank; this was a tiresome and tedious operation, but for the satisfaction of all concerned was necessary.

7th. We again proceeded on board the "*America*," for the purpose of measuring and ascertaining the contents of the three iron tanks in question; the two upper tanks having been perfectly filled to the satisfaction of all parties concerned, we commenced pumping off and measuring, by Imperial gallons, the contents of the upper tank, the starboard side, emptying each gallon measure into the lower and larger tank. We proved the starboard (upper) tank to contain 770 gallons. The port tank above being the same size, it was agreed on all sides that the measurement of the one was ample proof of the contents of the other. We then continued to measure off from part of the upper tank sufficient to fill the lower tank, which contained 160 gallons more than the upper tanks—

The lower tank containing ..	..	..	..	930 gallons.
2 upper tanks 770 gallons each ..	..	..	..	1,540 "
13 casks 130 "	..	..	..	1,690 "
12 " 15 "	..	..	..	180 "
31 demijohns 4 "	..	..	..	124 "
Total ..	..	..	..	4,464 "

And we hereby declare that we have taken this survey as minutely, impartially, and correctly as we were capable of doing.

Given under our hands at Freetown, Sierra Leone, this 18th day of July, 1864.

(Signed)

THOS. PIKE.
J. PINNOCK.

The quantity of deck now fitted to the lower deck beams would form half of a complete and perfect deck.

(Signed)

THOS. PIKE.
J. PINNOCK.

We also found the cooking apparatus of large dimensions, but we saw only one boiler besides the usual cooking utensils for the crew; this boiler will contain about four gallons.

(Signed)

THOS. PIKE.
J. PINNOCK.

On the 19th day of July, 1864, Thomas Pike and James Pinnock were respectively sworn to the truth, impartiality, and correctness of the foregoing survey.

Before me,

(Signed) WM. SMITH, Registrar.

Affidavit of Prize Officers to account for apparent discrepancies between the Affidavit of Seizure and Report of Commissioners of Survey.

In the case of the Spanish ship "*America*," Antonio Bisquert, Master.

We, Martin Julius Dunlop, Lieutenant of Her Majesty's steam-ship "*Ariel*," and prize officer of the said ship "*America*," John Francis Gledestanes Leacock, Sub-Lieutenant, and John Skinner Snell, Acting Second Master of the said steam-ship, and Assistant Prize officers, being duly sworn, make oath and say as follows, that is to say:—

And first we, the said Martin Julius Dunlop, John Francis Gledestanes Leacock, and John Skinner Snell, severally say—

1. That when we first proceeded on board the said ship as prize officers, after her seizure, there were 11 water-casks on deck, mostly full, and 5 others down below empty; that 10 of these 11 casks were, after we left the Cape, struck down below, and 2 or 3 were shook; there were also 60 empty demijohns, capable of containing about 4 gallons each, a number of which have, in the meantime, been broken. And that the captain of the said ship, the day before we arrived at Algoa Bay, declared, in our presence, that he had then forty-two days' water left in the tanks of the vessel.

2. And I, the said Martin Julius Dunlop, for myself, say, that when I searched the said ship there were four extra boilers in all on board of her, two were down below in the after store-room, and two were in the peak or fore store-room; and one out of the after store-room was used by the prize crew on the passage up, and left on board.

3. And I, the said John Skinner Snell, for myself, say, that I saw when the vessel was searched two boilers in the fore peak, and one was brought up from the after store-room for the use of the prize crew. I did not myself go down into the latter store-room, but Lieutenant Dunlop informed me at the time this boiler was brought into use that there was still another remaining in the after-hold. And I further say that I have carefully examined the second, or main-deck, of the said ship, and I find it has been a regular-built deck; but a portion of the planking has been removed in the midship section for the purpose of working the cargo, and the beams still remain in their places, which will appear by the plan hereunto annexed, which is a true and correct plan as far as it is possible for me to make it.

4. And I, the said Martin Julius Dunlop, for myself, do further say, that the difference in the number of casks, boilers, and demijohns may be accounted for from the captain and the whole of the crew of the said ship being left on board, the captain having been allowed to navigate the said ship to the port of Sierra Leone, I being merely on board with the prize crew for the purpose of seeing she was taken safely into this port.

(Signed)

M. J. DUNLOP.

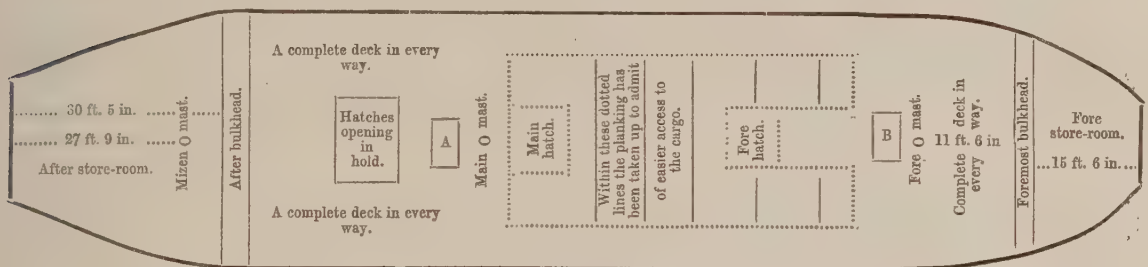
J. F. G. LEACOCK.

J. S. SNELL.

On the 26th day of July, 1864, the said deponents, Martin Julius Dunlop, John Francis Gledestanes Leacock, and John Skinner Snell, were severally duly sworn to the truth of this affidavit at Freetown.

Before me,

(Signed) WM. SMITH, Registrar.



Notes—(A.) Pump well and chain lockers.

(B.) Chain locker.

Length over all, 141 feet 9 inches.

Extreme breadth, 28 feet 8 inches.

Length from stemson to foremast, 27 feet.

" foremast to mainmast, 54 feet.

" mainmast to mizenmast, 33 feet.

" mizenmast to sternpost, 27 feet 9 inches.

Dimensions of "dotted line" space—

Breadth forward, 30 feet.

Ditto aft, 18 feet 6 inches.

Length, 38 feet 3 inches.

The straight lines within the dotted lines denote the ship's beams.

(Signed)

J. S. SNELL, Second Master, Acting.

Examination of Lieutenant M. J. Dunlop on Special Interrogatories.

In the case of the Spanish ship "*America*," Antonio Bisquert, Master. Saturday, July 30, 1864.

Martin Julius Dunlop, Lieutenant of Her Majesty's steam-ship "*Ariel*," being produced, sworn, and examined on special interrogatories put on behalf of the claimant by permission of the Judges of the said Court, depose and saith as follows, viz:—

That Commander Chapman sent Lieutenant Buckle, on the 3rd of April, to search and examine the Spanish ship "*America*" two days prior to the detention of that vessel. That, to the best of witness' belief, the entry made in log-book (No. 5), under date the 3rd of April, 1864, is in the handwriting of Lieutenant Buckle. That he does not know anything about the interlineation of the word "apparently" in the said entry, nor when such interlineation was made, nor whether any of the other officers were present at the time.

That witness does not know whether Lieutenant Buckle or any of the officers or men who accompanied him when he boarded the "*America*" and made the said entry understood the Spanish or French language.

That Lieutenant Buckle remained on board the "*America*" when the said entry was made for several hours, but witness cannot state the exact time, nor whether he was searching her all that time.

That to the best of witness' belief the "*Ariel*" lost sight of the "*America*" for several hours on the night

of the 4th of April, but the time was so short that she could not possibly have put into any port and taken other things on board.

That the rough rice and other articles referred to in witness' affidavit of seizure, and also mentioned in the Captor's Declaration, were found on board the "*America*" when Lieutenant Buckle boarded her, with the exception of the wooden stocks, which were subsequently discovered by witness.

That when the "*America*" was first descried by the "*Ariel*," after she left Nos Beh, it was a dead calm. The "*Ariel*" at the time was under steam. That to the best of witness' knowledge and belief the head of the "*America*" was to the westward at the time she was first seen; but as she was becalmed, witness cannot say whither she was steering for. If the "*America*" were steering for Cadiz it would not be the same course to Mozambique.

That Mr. Persey Douglas, a midshipman, was, to the best of witness' belief, the only officer who accompanied Lieutenant Buckle on board the "*America*" on the said 3rd of April.

That 4,464 Imperial gallons of water would be more than sufficient for a crew of twenty persons on a voyage from Nos Beh to Cadiz. The excess of water, in witness' opinion, would be about 3,000 gallons. He is unable to state the number of passengers the "*America*" can carry, but the cabins of that vessel are, in their present state, not fit to accommodate passengers.

That to the best of witness' belief the rough rice on board the "*America*" could, if necessary, be made fit for human food by being boiled and rubbed. Witness has seen rough rice on board condemned slave-dhows on the East Coast of Africa.

That the word "probably," made use of in his affidavit, had reference to the length of the voyage. And in regard to the provisions, minus the rough rice, witness does not think them too much for the said crew and the number of passengers the "*America*" is capable of carrying. The voyage from Nos Beh to Cadiz should not occupy more than ninety days. Witness not being engaged in trade cannot say whether cocoa-nuts are or are not articles of lawful trade in Europe.

Witness is uncertain as to whether there be a Spanish Consul at Nos Beh, but he does not think there is a British Consul there. That he is unable to state the exact number of loose planks on board the "*America*." It is usual to have some planks for repairs on board merchant-vessels, but the planking mentioned in Commander Chapman's declaration applied to those removed or taken up from the second deck. Witness not being in trade, is unable to say as to whether or not the ebony is an article of legitimate commerce. He has never seen two bulkheads in smaller vessels than the "*America*" engaged in lawful trade. He cannot state the number of staves on board, nor has he ever heard that staves of old casks were fit to form a slave-deck, but he considers the staves on board capable of being formed into casks. Witness is unable to form an opinion as to what purpose the stocks might or might not have been intended. He has visited Spanish vessels of nearly the same size as the "*America*" engaged in lawful trade without seeing similar stocks on board. He is not aware that the stocks are kept on board Spanish vessels by virtue of a law or regulation of Spain.

Witness considers that the mess-gear on board would be too many for the crew and twenty passengers. He cannot state the number of passengers the mess-gear might be sufficient for, as that would entirely depend upon the class of passengers.

He has already stated that he does not know how many passengers the "*America*" can carry, but he thinks the cooking range is capable of cooking for a large number of slaves.

That the captain having refused to go direct to Sierra Leone, although by his own acknowledgment he had forty-two days' water on board, and representing that he was anxious to examine the leaks of the vessel; and witness wishing also to communicate with Admiral Walker, and being off Algoa Bay at the time, he did give permission to the captain of the "*America*" to put into that port. To the best of his knowledge and belief, the papers annexed to the interrogatories marked A, B, C, are in the handwriting of witness. That the water, firewood, and provisions, referred to in the papers mentioned in the foregoing interrogatory, were taken on board at Algoa Bay. With regard to the paper marked D, witness is unable to state anything with certainty, but he believes the genuineness of the document.

That there were twenty-six persons on board the "*America*" from the time witness took possession of her until her arrival at Algoa Bay. He is unable to state the precise quantity of water used, as there were no restrictions of any kind placed on the consumption of water. In reply to witness' suggestions respecting the use of water he was assured by the captain (until the beginning of May) that he had plenty on board.

That the number of the English prize crew on board the "*America*" was sixteen, officers included. An English officer and six men were on duty during the greater part of the voyage, some of them being armed, but witness is unable to say whether they were constantly on the watch.

(Signed) M. J. DUNLOP, *Lieutenant*.

This examination was taken, and the truth thereof sworn to.

Before me,
(Signed) WM. SMITH, *Registrar*.

Affidavit of Messrs. Hazelborg and Reale on behalf of the Claimant.

In the case of the ship "*America*," Antonio Bisquert, Master.

We, Charles Frederick Hazelborg, of Freetown, in the Colony of Sierra Leone, merchant, and Marius Reale, master of the French vessel the "*Napoleon*," now riding at anchor in the port of Sierra Leone, severally make oath and say as follows, that is to say:—

1. That by the leave of this honourable Court we proceeded yesterday on board the "*America*."
2. We inspected the casks on board, and among them we observed 5 empty bread casks which would contain from 100 to 90 gallons each. The said five casks are in a bad condition, being kept together with about 3 hoops on one end of each cask. Several staves are broken about the bilge. The said 5 casks are actually bread casks. We gauged the water-casks, and found them to contain from 112 to 120 imperial gallons each.
3. We then proceeded to examine the 12 kegs on board, and found them to be wine octaves. They are in a bad state, the wine having leaked out during the voyage.
5. We also examined the lower-deck of said vessel, and found the beams laid fore and aft built in with the ship as the upper deck. This is called the second deck, and one-fourth of it was planked over at the time the ship was built. The measurement of deck is as follows: abaft main deck, 40 feet long by 30 feet wide;

forward, 12 feet long by 20 feet wide. We also found a small passage each side from forward to aft about 4 or 5 feet wide, and this is the only portion that was planked or decked the whole length of the ship. The quantity of deck now fixed to the lower deck beams would form about one-fourth of flooring.

5. We then inspected the galley stove, and found it suitably proportioned to the size of the said vessel. There are several baking apartments in the galley, and the largest boiler is about 4 imperial gallons. The length of galley is 6 feet; breadth, 3 feet; height, 2 feet 6 inches.

6. We say that suction pipes are usually carried by French vessels.

7. We further say that stocks are also carried by French vessels. The stocks now on board the "*America*" are capable of confining six men. They contain twelve holes.

(Signed) C. F. HAZELBORG.
M. REALE.

On the 30th day of July, 1864, the said deponents, Charles Frederick Hazelborg and Marius Reale, were severally duly sworn to the truth of this affidavit at Freetown. The latter through the interpretation of Victor Bareste, who was first duly sworn to interpret between the parties in this cause.

(Signed) V. BARESTE.
Before me,
(Signed) WM. SMITH, Registrar.

Examination of Thomas Pike, Surveyor, on Special Interrogatories.

In the case of the Spanish ship "*America*," Antonio Bisquert, Master. Monday, August 1, 1864.

Thomas Pike, Esquire, Surveyor to the Mixed Court, being produced, sworn, and examined on special interrogatories put on behalf of the claimant by permission of the Judges of the said Court, deposeth and saith as follows, viz:—

That he did not count the number of bags of rice on board the "*America*," but believes they contained the same description of rice as that in bulk, and they were included in the 140 tons referred to in the report of survey. He cannot state that it was for the convenience of taking in cargo, and on account of ventilation, that a portion of the permanent lower deck planking was removed. If witness had seen the description of cargo to be taken, he would then be able to form an opinion, but at present there is no cargo on board which would render it necessary to remove the planking.

That it is necessary for a vessel of the size of the "*America*" engaged in lawful trade to have permanent lower deck beams built with the ship fore and aft the hold for the purpose of strengthening her, but the deck itself is not absolutely necessary.

Witness states that the ebony on board cannot be used for a slave-deck. That there are no loose planks and staves on board the "*America*" to form a slave-deck. That the cooking apparatus on board the "*America*" is not fitted with utensils to cook for a large number of persons.

Witness thinks that the apparatus above-mentioned would measure about 6 feet by 3, and 27 inches high in the clear. It is of the size usual in merchant-vessels carrying passengers. That none of the casks included in the report of survey appeared to witness to be bread casks. At present some of those casks are unfit to hold water, but by repair they could be made to contain water.

That he cannot state that the kegs on board were wine and spirit kegs which leaked out during the voyage, and which formed portion of the cargo of the "*America*."

(Signed) THOS. PIKE.

This examination was taken, and the truth thereof sworn to.

Before me,
(Signed) WM. SMITH, Registrar.

Examination of James Pinnock, Surveyor, on Special Interrogatories.

In the case of the Spanish ship "*America*," Antonio Bisquert, Master. Monday, August 1, 1864.

James Pinnock, Esquire, Surveyor to the Mixed Court, being produced, sworn, and examined on special interrogatories put on behalf of the claimant by permission of the Judges of the said Court, deposeth and saith as follows, viz:—

That witness did not count the number of bags of rice on board the "*America*," but believes they contained the same description of rice as that in bulk. Witness saw one or two of the bags which had burst; and they contained rough rice. As the rough rice was neither measured nor weighed he cannot state the precise quantity; but that in bulk and in bags would not exceed 150 tons. Witness does not think that it was for the convenience of taking in cargo or for ventilation that a portion of the permanent lower-deck planking was removed.

That some vessels of the size of the "*America*," engaged in lawful commerce, have permanent lower-deck beams built with the ship fore and aft the hold. Witness considers that the lower-deck is not absolutely necessary; it would be advantageous for stowing some description of cargo, as it would keep dry goods, &c., from being injured by salt in the hold. That the ebony on board the "*America*" could not be used for a slave-deck. There are no loose planks and staves on board sufficient to form a slave-deck.

That the cooking-range is sufficient to cook for a large number of persons; but there are not culinary utensils for a great number of persons. That he did not take the measurement of the cooking apparatus, but it is fit for a large ship carrying a number of passengers.

That there are several bread or flour casks, incapable of holding water, not included in the Report of Survey; but those mentioned, by coopering, would contain water. That the kegs on board might have contained wine or spirits; but it is impossible for witness to state that they have leaked out during the voyage, and that they formed a portion of the cargo of the "*America*."

(Signed) J. PINNOCK.

This examination was taken, and the truth thereof sworn to.

Before me,
(Signed) WM. SMITH, Registrar.

Examination of Thomas Pike, Surveyor, on Special Interrogatories.

In the case of the Spanish ship "*America*," Antonio Bisquert, Master. Wednesday, August 3, 1864.

Thomas Pike, Esquire, Surveyor to the Mixed Court, being produced, sworn, and examined on special interrogatories put on behalf of the claimant, by permission of the Judges of the said Court, depose and saith as follows, viz. :—

That 4,464 gallons of water is an unnecessary quantity for a vessel of the size of the "*America*" going from Nos Beh to Cadiz, with a crew of twenty persons; reckoning the voyage to occupy ninety days, there will be excess of 2,660 gallons of water. As witness is unable to state the number of passengers the "*America*" is capable of carrying, he cannot say as to what quantity of water they would require.

That he has not seen any instance wherein rough rice has been used for human food without being first cleaned. Witness did not observe any utensils on board for cleaning the rough rice so as to render it eatable.

That the smallest size of a mess-tub witness has seen on board merchant-vessels could contain about four quarts.

That the "*America*" is not fitted to carry more than sixteen cabin passengers. She has no accommodation for second-class passengers.

That in the opinion of witness ninety days would be sufficient to take the "*America*" from Nos Beh to Cadiz.

That the mess-gear on board the "*America*" would not be too many for the crew and sixteen cabin passengers.

That if no restrictions were placed on the consumption of water on board a merchant-vessel, witness is unable to say what quantity each person (passengers or crew) would consume, including what may be required for washing and cooking.

(Signed) THOS. PIKE.

This examination was taken, and the truth thereof sworn to.

Before me,

(Signed) WM. SMITH, Registrar.

Examination of James Pinnock, Surveyor, on Special Interrogatories.

In the case of the Spanish ship "*America*," Antonio Bisquert, Master. Wednesday, August 3, 1864.

James Pinnock, Esquire, Surveyor to the Mixed Court, being produced, sworn, and examined on special interrogatories put on behalf of the claimant, by permission of the Judges of the said Court, depose and saith as follows, viz. :—

That 4,464 gallons of water would be too much for a vessel of the size of the "*America*," going from Nos Beh to Cadiz, with a crew of twenty persons. The excess would be 2,464 gallons, reckoning the voyage to occupy 100 days, at a gallon per head per day; but in the event of her carrying twenty cabin passengers, the whole quantity of water would not be in excess.

That he does not consider that the rough rice on board the "*America*" is fit for human food without being first cleaned. Witness did not observe any utensils on board that he had ever known to be used for the purpose of rendering the said rough rice fit for human food.

That the smallest size of a mess-tub he had ever seen on board merchant-vessels would contain about one gallon.

That the "*America*" is adapted to carry cabin passengers. In her present state she is not fitted to carry another class of passengers; but in case of emergency she could carry fifty distressed seamen in hammocks, between decks.

That the extreme length of a voyage from Nos Beh to Cadiz would be about 100 days.

With the exception of the tin pannikins, which would not be required by the cabin passengers, the mess gear on board the "*America*" would not be too many for the crew and twenty passengers.

That it is impossible for witness to state what quantity of water each person (passenger or crew) would consume, including the quantity used for washing and cooking, provided no restrictions were placed on the consumption of that article; under such circumstances the water would be used very rapidly.

(Signed) J. PINNOCK.

This examination was taken, and the truth thereof sworn to,

Before me,

(Signed) WM. SMITH, Registrar.

Examination of John G. F. Leacock, Sub-Lieutenant, Her Majesty's steam-ship "Ariel," on Special Interrogatories.

In the case of the Spanish ship "*America*," Antonio Bisquert, Master. Wednesday, August 3, 1864.

John Francis Gledastanes Leacock, Sub-Lieutenant Her Majesty's ship "*Ariel*," being produced, sworn, and examined on special interrogatories put on behalf of the claimant by permission of the Judges of the said Court, depose and saith as follows, viz. :—

That in the opinion of witness 4,464 imperial gallons of water would be more than requisite for a vessel of the size of the "*America*" going from Nos Beh to Cadiz. As far as witness can judge 1,660 gallons would be sufficient for the crew for that voyage, leaving a surplus of 2,804 gallons. Witness is unable to state the number of passengers the "*America*" can carry.

In its present state witness thinks the rough rice on board is not fit for human food without being first cleaned. He has seen no utensils on board which can be used to render the rough rice fit for human food.

That never having served on board merchant-vessels witness is unable to state the smallest size of a mess tub found on board such ships.

That in her present condition the "*America*" is not in any way fitted to carry cabin passengers; nor is there, in witness' opinion, the slightest accommodation for any other class of passengers.

That in the opinion of witness the "*America*" would take ninety days to perform a voyage from Nos Beh to Cadiz.

That witness not having inspected the mess gear, is unable to say whether or not they are too many for the crew and twenty passengers.

That there being a free tank witness is unable to say what quantity of water each person (passengers or crew) would consume daily, including the quantity used for washing and cooking, particularly as in a hot climate some people like taking baths frequently. That to the best of witness' belief eight large casks were full of water at the time of the seizure of the "*America*," but never having inspected the tanks he is unable to state what they contained, nor the exact quantity of water on board at the time of detention.

That not having brought his journal on shore, he is unable to say how many days the "*America*" took to go to Algoa Bay from the time she was detained.

That he is unable to state what quantity of water remained in the ship when the "*America*" arrived at Algoa Bay, never having inspected the tanks.

That to the best of witness' recollection all the casks on deck were filled with water on the morning of leaving Algoa Bay, and he was also informed by Captain Bisquert that the three tanks were full.

That he cannot state the quantity of water remaining in the ship on their arrival at this port, because, as he has already stated, he never inspected the tanks.

(Signed) J. F. G. LEACOCK, *Sub-Lieutenant.*

This examination was taken, and the truth thereof sworn to,

Before me,

(Signed) WM. SMITH, *Registrar.*

Examination of John Skinner Snell, Acting Second Master, Her Majesty's steam-ship "Ariel," on Special Interrogatories.

In the case of the Spanish ship "*America*," Antonio Bisquert, Master. Wednesday, August 3, 1864.

John Skinner Snell, Acting Second Master Her Majesty's steam-ship "*Ariel*," being produced, sworn, and examined on special interrogatories put on behalf of the claimant by permission of the Judges of the said Court, deposeth and saith as follows, viz.:—

That he is certain that with care 4,464 imperial gallons of water would be more than requisite for a vessel of the size of the "*America*" going from Nos Beh to Cadiz with a crew of twenty persons. Without waste the excess would be about 3,000 gallons. Witness cannot state how many passengers the "*America*" would carry.

That he thinks if the rough rice on board the "*America*" were first boiled, it would be fit for human food. He is not aware that there are any of the usual utensils on board for cleaning the said rice, but he is of opinion that, if required, it could be cleaned in buckets.

That the smallest size of a mess tub witness has seen on board of a merchant-vessel would contain about one quart.

That in the present condition of the "*America*" she is not fit to carry cabin passengers. There is no accommodation to carry any other class of passengers. He is of opinion that ninety days would be sufficient for the "*America*" to make a voyage from Nos Beh to Cadiz. That with the ordinary chances of the said voyage, the mess-gear would be too many for the crew and twenty passengers. They would be, in his opinion, sufficient for the crew and forty passengers.

That if there be no restrictions placed on the consumption of water, it is utterly impossible for witness to state what quantity each person (passengers and crew) would consume daily, including the quantity used for washing and cooking.

That the eight large casks were full of water when the "*America*" was detained, but witness not having inspected the tanks he cannot say whether or not they were full, nor the quantity of water on board at the time of capture.

That the "*America*" took thirty-one days to go to Algoa Bay from the time of seizure. That two or three days prior to their arrival at Algoa Bay the captain informed him that there were forty-two days water on board, but witness does not know the actual quantity of water remaining at that time.

That he cannot say that the eight casks and three tanks were full of water when the "*America*" left Algoa Bay, not having inspected them.

That not having inspected the tanks witness cannot say what quantity of water remained in the vessel on her arrival at this port.

(Signed) J. S. SNELL, *Second Master, Acting.*

This examination was taken and the truth thereof sworn to,

Before me,

(Signed) WM. SMITH, *Registrar.*

Affidavit of the Master, Mate, and Boatswain, in support of the Claim.

In the case of the ship "*America*," Antonio Bisquert, Master.

We, Antonio Bisquert, master of the said vessel, Manuel Aveno, mate of the said vessel, and Francisco Morales, boatswain of said vessel, all at present of Freetown in the said Colony, severally make oath and say as follows:—

1. And I, the said Antonio Bisquert, for myself say that having, in my replies to the several interrogatories administered to me by this Honourable Court, given a full statement of my proceedings from the time I left Cadiz to the day the "*America*" was detained, I think it unnecessary to repeat them again; and I have only to crave leave to refer to them, as well as the matters answered by my mate and boatswain, in support of the defence in this case.

2. The "*America*" has not, as stated by Captain Alan H. Gardner, taken in cargoes of slaves for the last two years at or near Ibo, or at any other place.

3. I did not take a cargo of cloves as a blind, as stated by Commander Chapman.

4. I had no slaves in any port of Madagascar to ship, and did not visit any port in Madagascar at any time for that purpose.

CLASS A.

E

5. I deny that my ship was to proceed to any rendezvous where she was to meet a vessel with a cargo of slaves.

6. I know nothing of a great number of slaves alleged to have been collected at Villa Maca or Bembatooka.

7. During the whole of the voyage the "*America*" was engaged in lawful trade, and I was not concerned in the Slave Trade, and had not the slightest intention of shipping any slaves or being concerned in the shipment of slaves.

8. The whole of the rough rice on board the "*America*" was taken in at the harbour of Nos Beh, where Her Majesty's ship "*Ariel*" was at anchor part of the time, and the people on board saw us taking in a large quantity of the rough rice.

9. I declared the whole of the rough rice and other articles on board to the proper authorities at Nos Beh, and asked them to sign a manifest of the cargo. They said it was unnecessary, and gave me the paper writing, a copy of which is subjoined to the 14th interrogatory administered in this cause to Lieutenant Dunlop. I crave leave to refer to the original paper on the hearing of this cause.

10. I had no means of compelling the said authorities at Nos Beh to sign a manifest detailing the whole of the cargo on board my ship. There was not a Spanish or English Consul there to whom I could apply in the matter.

11. On the day the "*America*" was detained, we had the three tanks referred to in the surveyor's report and eight pipes full of water on board. We took thirty-one days to make the voyage to Algoa Bay. On our arrival there we had consumed the eight casks and two tanks of water, and some portion of the water in the other tank was also consumed. We took in $11\frac{1}{2}$ tons of water at Algoa Bay, and the three tanks and eight pipes were quite full when we left that port. We remained at Algoa Bay three days, and made the voyage thence to Sierra Leone in thirty-five days. On our arrival at Sierra Leone we had remaining in one of the tanks under 400 gallons of water, the two other tanks and eight pipes of water having been consumed during the voyage from Algoa Bay.

12. We took in the provisions (referred to in the paper writings marked respectively B and D, which are annexed to the interrogatories administered to Lieutenant Dunlop) at Algoa Bay. On our arrival at Sierra Leone we had about the following quantity of provision remaining, namely, 1 or 2 barrels good biscuits, 2 barrels of beef and pork (not of each), 3 cases and 1 barrel of flour, 6 boxes of vermicelli, 2 bags of calavances, 80 lbs. of clean rice, 4 cases of macaroni, 30 tins of preserves, 6 jars of oil, some coffee, sugar, and tea. There were only about 11 barrels of biscuits on board when the "*America*" was detained. They were then damaged and unfit for food, and are now so. The barrels were not full, and the quantity in all was about 4 barrels.

13. And I the said Manuel Aveno say that the word "apparently," referred to in the second interrogatory administered to Lieutenant Dunlop in this cause, was interlined by Lieutenant Buckle on the 5th of April, 1864, when he came on board the "*America*" with Commander Chapman; and I further say that paragraphs 9 and 10 hereof are true, having been in company with the said Antonio Bisquert at the time when he went to the said proper authorities.

14. And I the said Francisco Morales, for myself, say that Lieutenant Buckle not only saw but counted the holes on the wooden stocks when he came on board the "*America*" on the 3rd April, 1864.

15. And we, Antonio Bisquert, Manuel Aveno, and Francisco Morales, further say that no boilers or other articles of any kind were thrown overboard as is insinuated in the affidavit of Lieutenant Dunlop, John Francis Gledestanes Leacock, and John Skinner Snell, and dated on the 26th July, 1864. There was no possibility of doing so without being observed, inasmuch as an English officer and six men armed were constantly on the watch from the time the "*America*" was detained until our arrival in Sierra Leone, there being two watches on board, each commanded by an English officer.

16. Lieutenant Buckle remained on board the "*America*" on the 3rd April from 8 o'clock in the morning until 2 o'clock in the afternoon, being occupied with his men during all the time in searching the vessel.

17. We did not put into any port from the time Lieutenant Buckle boarded the "*America*" on the 3rd April, 1864, to the period we were detained, the "*Ariel*" following us all the time.

18. When we were detained we had on board the paddy or rough rice, the wooden stocks, and all the vessels for holding water now on board the "*America*," and Lieutenant Buckle must have seen the said articles on board when he searched the "*America*" on the 3rd April.

19. The course to Cadiz when we were detained was the same course to Mozambique.

20. The number of vessels on board capable of holding water was not too much for the "*America*" bound for Cadiz, as we did not expect to make the voyage in less than 100 days, and might have been 130 days: moreover, we had two men to take in at Mozambique, and might have taken in passengers there for Cadiz.

21. The rough rice on board could not be used for human food without being first threshed, and we had no engine or other utensil on board, and never intended to ship any that could be used to render the said rough rice fit for human food. It is not correct to say that rough rice could be made fit for human food by being boiled and rubbed, without there being some utensils at hand by which it could be rubbed. In plain terms the kind of rubbing described by Lieutenant Dunlop in his affidavit must mean beating in a mortar, and we had no mortars or other things on board with which rough rice could be beaten to free it from chaff.

22. The stocks on board cannot confine more than six persons, and it is usual to keep them on board Spanish vessels for the purpose of keeping the crew and unruly passengers in order. There is a Spanish regulation ordering unruly men or passengers to be confined in wooden stocks by the master of Spanish vessels.

23. The mess-gear on board is not over the quantity required for the crew and number of passengers the "*America*" can carry; indeed it is insufficient.

24. The "*America*" can carry from twenty-five to twenty-eight first class passengers, and fifty third class. She took in eight first class passengers and sixteen third class when she left Cadiz.

25. With reference to the answer given by Lieutenant Dunlop to the 22nd interrogatory administered to him in this matter, I Antonio Bisquert say that it is incorrect, the fact being as follows:—I never refused to go direct to Sierra Leone, inasmuch as both Lieutenant Dunlop and myself had come to the conclusion that we had not enough water on board, and that it was necessary to go into the Cape or St. Helena to take in water. Subsequently Lieutenant Dunlop told me it was better and easier to go into Algoa Bay, to which I assented provided the wind would allow us to stay at that port without danger, and he would free me from responsibility; but upon our approaching Algoa Bay there was danger, and I refused to go in, whereupon Lieutenant Dunlop navigated the "*America*" himself and went into Algoa Bay.

26. And we, the said Antonio Bisquert, Manuel Aveno, and Francisco Morales, say that the cooking-range is not too large for the crew and number of passengers the "*America*" can carry.

27. The articles referred to in a paper writing marked D, and annexed to interrogatories administered to Lieutenant Dunlop, were taken on board the "*America*" at Algoa Bay.

28. The cocoa-nuts and rough rice on board are articles of legitimate commerce, and were never intended to feed slaves with.

29. We say that suction-pipes are usually carried in Spanish vessels.

30. We had no rice on board when we sailed from Cadiz, as will be seen by the manifest of the "*America*," to which we crave leave to refer at the hearing of this cause.

31. We were searched by officers from Her Majesty's ship "*Penguin*" on our voyage from Zanzibar to Mozambique some time in December 1863. We had on board the three tanks and all the casks and other vessels for holding liquids, and also the wooden stocks which were on board the "*America*" when she was detained.

32. We arrived at Nos Beh on the night of the 5th April, 1864, and the "*America*" was reported to the authorities there on the following morning. They have made a mistake in the date of our arrival, which is written 16th, instead of 6th.

33. There is no room for slaves in the "*America*," and there is no slave-deck in her.

34. Rough rice and cocoa-nuts are imported into Cadiz, and publicly sold there, and in other parts of Spain.

35. We the said Manuel Aveno and Francisco Morales also say that we believe and have no doubt all the statements in paragraphs 3, 4, 5, 6, and 7 are true, but cannot say anything in reference to paragraph 2 hereof, as we have not served on board the "*America*" for two years. We further say that the statements in paragraphs 8, 11, and 12 are true.

36. And we, the said Antonio Bisquert, Manuel Aveno, and Francisco Morales, further say that the English officers and prize-crew brought their own provisions on board the "*America*," and did not live upon the provisions of our ship.

(Signed)

ANTONIO BISQUERT.
MANUEL AVENO.

his
FRANCISCO X MORALES.
mark.

On the 5th day of August, 1864, the said deponents, Antonio Bisquert, Manuel Aveno, and Francisco Morales, were severally duly sworn to the truth of this affidavit through the interpretation of Victor Bareste, who was first duly sworn faithfully to interpret between the parties in this cause.

(Signed) V. BARESTE.

Before me,

(Signed) WM. SMITH, Registrar.

Affidavit of Manoel Martinez, on behalf of the Captors.

In the case of the ship or vessel "*America*," Antonio Bisquert, Master.

I, Manoel Martinez, a seaman on board the said ship "*America*," being duly sworn, make oath and say as follows (that is to say):—

1. That I joined the said ship "*America*" as an ordinary seaman at Mozambique on the 7th day of August, 1863, and when I shipped the captain told me that he intended to proceed in the vessel to Zanzibar to take in cargo, and from thence to go direct to Cadiz. I was to receive 14 Spanish dollars per month, but I signed no articles. I am a Portuguese subject.

2. From Zanzibar the ship went back to Mozambique, where they transferred some of the cargo on board a barque called the "*Tetuan*," belonging to the same employ. After discharging cargo there they took in ballast, and from that place went to Nos Beh, where they shipped the rough rice that is now on board. That about four or five days after they left Nos Beh an English man-of-war boarded them, and two days after the same man-of-war boarded them again, when the vessel was detained by her and sent to this port.

3. There were five boilers on board at Mozambique, the whole of which were then in the lazarette under the cabin. At that place a Portuguese man-of-war called the "*Marianne*" boarded the vessel, and previously to her doing so I saw three boilers thrown overboard, which were handed up from the lazarette by the steward on to the cabin deck (this was done between 7 and 8 o'clock in the evening; I was on deck at the time); and at Zanzibar a small English steamer came to an anchor in the port, when there were two other boilers passed up from the lazarette by the steward and thrown overboard, but by whom I cannot tell. This was also done about 7 or 8 o'clock in the evening; I was on deck at the time, and saw them thrown overboard.

4. That, about three days after the prize-crew came on board, the boatswain came forward, and I heard him tell a Manilla-man now on board, called Pedro (the boatswain's yeoman in charge of the boatswain's stores), to get out of the locker where the stores were kept two pairs of slave-iron shackles and throw overboard; and Pedro took them out and passed them to me to throw them overboard, which I did. This was done about 6 o'clock in the evening, and the prize-crew were all aft at the time.

5. After ten or twelve days of our arrival in this harbour, the steward told me to take out of a large box on which the cook cuts up his meat, which is placed alongside the cooking-house, a good-sized iron boiler, and make a hole in it at the bottom with a marline-spike; which I did, and I replaced it again by his request, and it was there when I left the ship on Saturday, the 6th instant.

6. That at the time of the spiking of the said boiler there was also in the same box a large tin boiler, which would hold about fifteen gallons, which the steward filled with old saucepans to make it sink, and it was thrown overboard.

7. When I first joined the vessel the open space between deck was then covered over with old planks nailed down, which were afterwards taken up at Mozambique when we were lying at anchor there, where she remained about two months (one before I shipped, and another after), and these planks were afterwards burnt.

8. About twenty days after we arrived in this harbour, between 7 and 8 o'clock in the evening, Pedro (the boatswain's yeoman before mentioned) passed up from the main-deck to the fore-castle five iron hatch-bars, which were tied up together, and delivered them to José Duarte, a Portuguese seaman on board the said ship, and he threw them overboard.

(Signed) MANOEL X MARTINEZ.
his
mark.

On the 9th day of August, 1864, the said deponent Manoel Martinez was duly sworn to the truth of this affidavit at Freetown, the same having been first read and explained to him through the interpretation of Antonio Silva, who was first duly sworn faithfully to interpret the same, and which he appeared to understand.

(Signed) ANTONIO DA SILVA.

Before me,

(Signed) WM. SMITH, Registrar.

Affidavit of the Prize Officer.

In the case of the ship or vessel "*America*," Antonio Bisquert, Master.

I, Martin Julius Dunlop, Lieutenant of Her Majesty's steam-ship "*Ariel*" (William Cox Chapman, Esquire, Commander), and prize-officer of the said ship "*America*," being duly sworn, make oath and say as follows (that is to say):—

1. That in reply to the evidence filed on behalf of the claimant, I reply to the 4th paragraph of the affidavit filed on the 30th day of July last, of Charles Frederick Hazleborg and Marius Reale, and say, that not only was there a regular deck planked abaft the mainmast, but it was continued some distance before the mainmast, and again from the foremast forward to the bulkhead and a few feet aft the foremast, as will appear by the plan made by Mr. Snell, annexed to the affidavit filed in this Honourable Court on the 26th day of July last in this cause.

2. That the said plan of the main or second deck is, to the best of my knowledge and belief, a true and correct plan, and which in my opinion has been conscientiously taken by the said Mr. Snell, and that it will be found so by any disinterested party that may be appointed by the said Court to examine the said deck who is capable of measuring and calculating with accuracy the covered and uncovered portions thereof and report accordingly.

3. That as to my answer to the 23rd interrogatory, administered on the 30th of July last on behalf of the claimant, I further say that the paper writing marked B shows a list of articles I was desirous of purchasing from Captain Bisquert for my own use on the 8th day of April last, about three days after the "*America*" was detained, and whilst the ship was at sea, and of those articles the captain let me have one bag of beans and several bottles of mustard, but the others he would not give me; and I find, on referring to my answers to the 24th interrogatory, that I have omitted to explain this, and have inadvertently stated that the articles mentioned in paper writings B and D were received on board at Algoa Bay, whereas I should have said that the articles marked D were received there, but certainly not those in B; the date of the paper B will show this. That paper C is simply a receipt given by me to Captain Bisquert for the sum of 16*l.* 19*s.* 6*d.*, the amount I paid for waterage, firewood, and salt beef at Algoa Bay, and which said sum I received from him.

4. That as to the affidavit of Captain Bisquert, his mate, and boatswain, filed on the 5th instant, where it is stated by them, in the 8th paragraph, that the "*Ariel*" saw the "*America*" shipping rice at Nos Beh, the same is incorrect, as the brig which brought the rice to the "*America*" could not have arrived there till after the "*Ariel*" left, as I myself boarded that brig on her way to Nos Beh two or three days after we left that place.

5. That as to the 11th paragraph, I say that the statement of there being only eight pipes on deck is a mistake, as I myself saw ten pipes, and those ten remained on deck until after we rounded the Cape.

6. That the statement in the 12th clause, that the provisions mentioned in paper B were taken in at Algoa Bay is incorrect, that paper being dated the 8th day of April, and being a list of articles I endeavoured to obtain from Captain Bisquert for my own use, as I have before stated. We were at Algoa Bay on the 7th, 8th, and 9th of May last.

7. That as to the statement made in the 19th paragraph, a reference to the Admiralty Chart will prove that the course to Cadiz is not the same as that to Mozambique.

8. That as to the statement made in the 22nd paragraph, I say that in ships of war we constantly confine the men with one leg in irons, and as the stocks on board the "*America*" had twelve holes, it would be able to confine twelve men.

9. That as to the statements made in the 25th paragraph, I say, on the evening of the 4th day of May Captain Bisquert stated to me that he had forty-two days' water on board, and I asked him if he would go direct to Sierra Leone. He replied distinctly, and in the presence of my two officers and his own officers, the mate and boatswain, that he would not, as there was a possibility of being becalmed near the line; that he considered it necessary to go into a port for water and firewood. He suggested St. Helena, and I knowing Algoa Bay well, and we being close to it, directed him to go there. He seemed afraid of going to that place, having never been there, and as I, on the contrary, knew it well, I offered to take the responsibility of taking the ship in. He asked me if I would do so in writing. I said yes, if he would give me in writing that it was necessary to go in. The following day we exchanged the papers mentioned. The one he gave me I now annex, marked E, and also the other which he gave to me, also annexed, marked F, to say that the ship had not been long delayed. On the evening of the 4th of May, and immediately after this conversation took place, I inserted every part of it in my journal, which I signed, and I then gave it to my officers to read, requesting them if they found the entry correct in every particular to state so, and attach their signatures thereto, which they did; and the said journal can be produced if this Honourable Court should require it. That there was danger in going in is sufficiently answered by the fact that I knew the harbour well, also the signs of the weather; that I conducted her in safety in and out; that during the time we were there we had the very winds I foretold from the westward, consequently foul for going round the Cape. Captain Bisquert did object to go to Algoa Bay; he suggested St. Helena, but as I understood he had not been to the latter port either, I thought it much better to go to Algoa Bay, and circumstances proved that I was correct in doing so.

10. That as to the 29th paragraph I say that suction pipes may be carried in some Spanish vessels, but I have never seen them in any legal trader I have visited.

11. That as to the 33rd paragraph, I say that there is room on the main deck for a very large number of slaves if that deck were cleared, which might be done in a very short space of time.

(Signed) M. J. DUNLOP.

On the 11th day of August, 1864, the said deponent was duly sworn to the truth of this affidavit.

Before me.

(Signed) WM. SMITH, Registrar.

Affidavit of Adolphus Pike, Marshal, on behalf of the Captor.

In the case of the ship or vessel "*America*," Antonio Bisquert, Master.

I, Adolphus Pike, Marshal of the Honourable Court, being duly sworn, make oath and say as follows (that is to say):—

1. From information communicated to me by Manoel Martinez, a mariner of the said ship "*America*," through the interpretation of Antonio Silva, I proceeded on board the said ship on Saturday last, the 6th instant, for the purpose of ascertaining whether there was a tin boiler in the lazarette, an iron boiler in the fore peak,

an iron boiler with a hole in it, in a box alongside the caboose, as well as an iron boiler in the caboose. The tin boiler is capable of containing eight gallons of water; the iron boiler in the fore peak is capable of containing six gallons, and fits the cavity of the plate in the caboose; the iron boiler with the hole in it could contain three gallons if the hole were plugged up; and the iron boiler in the caboose would contain four gallons.

2. That having been further informed by the said Manoel Martinez that the captain had distributed money among the crew of the vessel, and that he and his officers had also money secreted in the vessel, I proceeded on board on Monday the 8th instant, and made search of the officers' cabins, but found no money. I then proceeded forward, and searched other parts of the vessel and the crew, and upon one seaman named Louis Vard, I found 42 5-franc pieces; upon Vincente Garcia I found 11 5-franc pieces; upon Pedro Bedoyal I found 36 5-franc pieces; upon Jamie Yoraka 13 5-franc pieces; upon Andreas Liceames 19 gold pieces of 100 reals each, and 1 quarter-doubloon; upon José Decarte 20 5-franc pieces; upon Francisco Lorica 10 5-franc pieces; upon Quando Royane 40 5-franc pieces; upon Andreas Filgera 50 5-franc pieces; upon Ellis Lelaire 27 5-franc pieces; upon Pedro Delacruz 18 5-franc pieces, of which several were found in a belt round his waist, and the remainder in his chest.

In addition to these amounts I left about a dollar with each of them, the whole of which amount I have in my possession.

(Signed) A. PIKE, *Marshal*.

On the 11th day of August, 1864, the above-named deponent was duly sworn to the truth of this affidavit at Freetown.

Before me,
(Signed) WM. SMITH, *Registrar*.

Affidavit of Antonio Bisquert, Manuel Aveno, Francisco Morales, Roberto Aranda, and Pedro Delacruz, in support of the Claim.

In the case of the Spanish ship "*America*," Antonio Bisquert, Master.

We, Antonio Bisquert, master; Manuel Aveno, mate; Francisco Morales, boatswain; Roberto Aranda, steward; and Pedro Delacruz, boatswain's yeoman, of the said ship, all at present of Freetown, in the said Colony, severally make oath and say as follows (that is to say):—

1. And I the said Roberto Aranda, for myself, say that three boilers were not thrown overboard, and I never handed any boilers to be thrown overboard, as is alleged in the affidavit (3rd paragraph) of Manoel Martinez, made in this cause on the 9th August, 1864. It is also untrue that two other boilers were passed up by me, and thrown overboard, as is alleged in the same paragraph.

2. I further swear that it is untrue, as is stated in the said affidavit (5th paragraph), that at any time, before or since our arrival at Sierra Leone, I told the said Manuel Martinez to take out any boiler, and make a hole in it. The boiler placed alongside the cooking-house is still there; it must have been seen by Messrs. Pike and Pinnock when they surveyed the vessel; and I don't think if it be examined any hole will be found in it. If it has a hole it must be the said Manuel who made it for a purpose best known to himself; and I had no hand in it. This same boiler was in use for the Spanish crew until the English crew left the ship.

3. I further swear that the 6th paragraph of the said affidavit is untrue.

4. And I the said Francisco Morales say that the 4th paragraph of the said affidavit is untrue.

5. And I the said Pedro Delacruz say that the 4th and 8th paragraphs of the said affidavit are untrue.

6. And we the said Antonio Bisquert, Manuel Aveno, Francisco Morales, Roberto Aranda, and Pedro Delacruz, further say that there were never more boilers on board than there are now. There were no iron shackles on board, and that (with the exception of the 1st and 2nd paragraphs of the affidavit of the said Manoel Martinez, and that portion of the 3rd paragraph which states the "*America*" was boarded by a Portuguese man-of-war, and that an English steamer came to anchor at Zanzibar), all the statements in the said affidavit, including, of course, the 7th paragraph, are wholly untrue.

7. The tin boiler in the lazaret, referred to in the affidavit of Adolphus Pike, Esquire, made in this matter on the 11th August, 1864, is a damaged boiler not fit for use, and was seen by the said Surveyors, who will, we have no doubt, confirm this statement if they are questioned by this Honourable Court. This tin-boiler, if fit for use, would be capable of containing about four gallons only. One of the iron boilers referred to by the said Adolphus Pike in the same paragraph was used for pitch and tar, and must have been seen by the said Surveyors, who will no doubt say so if they be questioned about it. The other iron boiler referred to by the said Adolphus Pike in the same paragraph is the same boiler referred to in paragraph 2 hereof. These two iron boilers could respectively contain 3 and 6 gallons by being filled to the brim.

8. I the said Antonio Bisquert say that since I left Nos Beh I have not given the crew any money whatsoever.

9. And I the said Manuel Aveno say that the said Adolphus Pike found 14 dollars in my cabin, but he did not take them.

10. And I the said Francisco Morales say that the said Adolphus Pike found 7 dollars in my cabin, but did not take them.

11. And we said Manuel Aveno and Francisco Morales say that we had more of our own money on board when we arrived here, but that we have expended it on shore.

12. And we all say that Antonio Silva, mentioned in the affidavit of the said Adolphus Pike, is a Portuguese man, placed on board by the said Adolphus Pike; and we have no doubt that he (Silva) has improperly got his countryman, the said Manoel Martinez, to make the untrue statements in his said affidavit.

(Signed) ANTONIO BISQUERT.

MANUEL AVENO.

his

FRANCISCO $\times$ MORALES.

mark.

ROBERTO ARANDA.

his

PEDRO $\times$ DELACRUZ.

mark.

On the 13th day of August, 1864, the said deponents Antonio Bisquert, Manoel Aveno, Francisco Morales, Roberto Aranda, and Pedro Delacruz, were severally duly sworn to the truth of this affidavit, at Freetown, the same having been first read over and explained to them through the interpretation of Victor Baresté, who was first duly sworn faithfully to interpret the same.

(Signed) V. BARESTE.

Before me,

(Signed) WM. SMITH, Registrar.

Inclosure 3 in No. 20.

Opinion of the Acting British Judge.

THE case upon which the Court has now met for the purpose of pronouncing Judgment is that of the Spanish ship "*America*," Antonio Bisquert, Master, which was detained on the 5th day of April, 1864, on the East Coast of Africa, on the charge of being equipped for the Slave Trade, in contravention of the Treaty of June 28, 1835, between Great Britain and Spain.

I will first examine the particular articles of equipment which are reported by the captors to have been found in this vessel, and which are in contravention of the Treaty alluded to. There are certain water-casks, for which no bond has been given; a second, or slave-deck, or means for laying the same; a quantity of mess-gear not required for the crew; twenty-five suction-pipes; stocks capable of containing twelve persons; and 130 tons of rough rice, not entered on the manifest.

By the Treaty any one of these articles is to be taken as *prima facie* evidence of the vessel being engaged in the Slave Trade, and the *onus probandi* is transferred to the claimant. Let us then first consider the direct evidence, besides the captor's report, as to the articles on board, and the explanations and evidence offered by the claimant.

The surveyors appointed to examine this vessel report, that they found permanent lower-deck beams running round the ship, partly decked, and all capable of being decked; thirteen water-casks, capable of containing 130 gallons each; seventy-six tin pannikins to hold about half a-pint each; the suction-pipes; a pair of leg-stocks, capable of holding securely twelve persons; and the rough rice, amounting to about 140 tons.

In refutation or explanation of these articles we have the affidavits of the master, mate, and boatswain, and of two surveyors appointed by the claimant. The master states in his affidavit, sworn to on the 5th of August, that the rough rice was taken in at Nos Beh as part of the cargo, and that he (the master) reported the rice and other articles to the proper authorities at Nos Beh, and asked them to sign a manifest of the cargo; that they said it was unnecessary, and gave him a paper, a copy of which has been produced, to the following effect:—

“(Translation.)

“It is dispatched for Cadiz, with twenty men of crew, including the Captain and passengers, and cargo of different merchandize.

“*Nossibe*, March 30, 1864.

“The Commandant of the Maritime Inspection,
(Signed) “ETUTINN.”

He further states, that he had no means of compelling the authorities at Nos Beh to sign a manifest detailing the whole of the cargo of his ship. In this affidavit no reference whatever is made respecting the water-casks; nor is any explanation offered why bond had not been entered into, according to the Treaty, when he commenced his voyage to the coast of Africa; but he says that the number of vessels on board capable of holding water were not too much for the "*America*," bound for Cadiz, as they did not expect to make the voyage in less than 100 days, and they were to take in two men at Mozambique, and might have taken in passengers there for Cadiz.

He further says, that the rough rice could not be used for human food unless first threshed; that he had no engine on board, or other utensils that could be used for that purpose, nor did he intend to ship any. With regard to the stocks, he says that they can only confine six persons, and are usual in Spanish ships, and that the crew and passengers are, by Spanish regulations, ordered to be confined in wooden stocks by masters of Spanish vessels. No rules to this effect have, however, been laid before the Court. The master merely avers that the mess-gear is not over the quantity required for the crew and number of passengers which the "*America*" can carry; but he does not specially account for the tin pannikins. He states the number of passengers the "*America*" can carry to be from twenty-five to twenty-eight first class, and fifty third class. He states that the cocoa-nuts and rough rice are articles of legitimate commerce; that suction-pipes are usually carried in Spanish vessels; that there is no room for slaves in the "*America*," and there is no slave-deck in her; and this affidavit is supported by Manoel Aveno and Francisco Morales.

In further support of the claimant an affidavit is put in from Messrs. Hazelborg and Reale, who, at the request of the claimant, examined the "*America*," sworn to on the 30th July. They say they found five bread-casks, capable of containing from 100 to 90 gallons each, but in bad condition. They say they gauged the water-casks—but do not give the number—and found them to contain from 112 to 120 imperial gallons each. That they examined the twelve kegs, and found them to be octaves, in a bad state, the wine having leaked out during the voyage. They say they examined the lower deck of the vessel, and they give various measurements as to how much is now planked off; but they offer no opinion as to its capabilities for a slave-deck. They say that suction-pipes are usually carried by French vessels, and that stocks are also carried by French vessels; that the stocks are capable of confining six men; they contain twelve holes.

The captors further state that four extra boilers were found on board at the time of capture. These boilers were not reported by the surveyors, but on information given by one of the crew, the Marshal examined the vessel, and found three boilers, supposed not to have been reported by the surveyors. In the affidavit of the 9th August (No. 35), referred to as made by one of the crew, it is stated that some boilers and other articles had been thrown overboard previous to, and after, the arrival of the "*America*" at Sierra Leone. To contradict this we have an affidavit of the master, mate, boatswain, and steward of the "*America*," who swear that no boilers or other articles were ever thrown overboard, and that there were never more boilers than at present. That the tin boiler seen by Mr. Pike must have been seen by the surveyors. One of the iron

boilers is used for pitch and tar, and must have been seen by the surveyors; and the other iron boiler is the one referred to in No. 2 paragraph of the same affidavit, and it must have been seen also by the surveyors. An application was made to the Court to question the surveyors on this point; but the Court left it to the discretion of the counsel for the claimants, who declined to do so.

So far then as to the actual breach of the Treaty it has, in my opinion, been proved that water-casks for which no security had been given were on board at the time of capture; that the mess gear was greater than necessary for the use of the crew; that there were the means of laying a second or slave deck; and that rice was on board which was not entered on the manifest.

I will now, however, proceed to examine how far these breaches of the Treaty may be reconciled with legitimate commerce on the evidence produced, and the elaborate arguments brought forward by the Counsel for the claimant. Great stress has been laid on the quantity of water required for the crew, and it has been argued that 35 men consumed in 31 days all the water contained in the tanks and casks, and that, therefore, the latter were necessary for the crew of 20, with the chances of 3 or 4 more, for a voyage of 100 days; but putting out of sight the value of the comparison of consumption of water where no limit is placed, with a necessary and limited supply, let us examine what this vessel has done on former voyages. She left Cadiz on the 19th of February, 1863, and arrived at Buénos Ayres on the 25th of April with 26 passengers and a crew of 24. There is no proof that in leaving Cadiz this vessel was provided with these water-casks, because, had she been so, the vessel being then destined for the Coast of Africa (as is to be presumed, for she took an engineer and engine for Mozambique), the owner no doubt would have given the proper security if the vessel were intended for legitimate trading. We must, therefore, conclude that the tanks alone held sufficient water for 50 persons for 75 days. These tanks, by the report of the surveyors, will hold 2,470 Imperial gallons, and the surveyors further report that the additional casks found on board would contain 1,870 gallons, an amount which was evidently quite unnecessary, even supposing, which is sometimes asserted and sometimes denied, that she was bound direct to Cadiz from Nos Beh when captured. I cannot but think, therefore, that the presence of these casks has not been satisfactorily accounted for. The next most important matter is the rice not entered on the manifest. Three questions are raised for the defence which deserve consideration:—

1st. Whether there was any opportunity on board of making this rice fit for human food?

2ndly. Was the fact of the rice not being on the manifest clearly the fault of the French authorities? And

3rd. Is rough rice a probable cargo to be sent to an European market?

With regard to the first we have had evidence produced by Counsel on each side of the results of their endeavours to convert rough rice into human food, but apart from these results, which of course were entirely contradictory, is it not well known that with the rudest materials, the rudest natives will prepare rough rice for human food? And if this rice were intended for food for slaves there would be no difficulty in any ship in making it sufficiently good for them. The suspicion attaching to this vessel, therefore, is not removed by the reply to the first of these questions.

Now let us examine the second. A manifest is generally a document made out by the shipper, and taken to the Custom-house authorities for verification. In this instance the master has sworn that he declared the rough rice and other articles on board to the proper authorities at Nos Beh, and asked them to sign a manifest of the cargo. This would show that a written manifest was made out for the authorities to sign, but this paper has not been produced, and knowing the regularity of the French Customs Departments so unusual a refusal is not probable. The explanation on the second question does not remove suspicion.

On the third point we have an affidavit by the master, mate, and boatswain, that cocoa nuts and rough rice were articles of legitimate commerce. Of this there can be no doubt. Legitimate commerce may be carried on in every description of raw material. Cotton may be imported not cleaned and with the seeds adhering, but the question here is, is this a usual commerce which would be sufficient to remove all suspicion, and establish the fact of this vessel being engaged in a lawful trade? It would have been more satisfactory had evidence been produced on this point, evidence which might have been readily acquired here. None of these explanations therefore are, in my opinion, sufficient to relieve the vessel from suspicion.

But I am bound, in considering the case before us, to look to all the circumstances attending this vessel's presence and trading speculations on this coast. It has been argued by the Honourable the Queen's Advocate on the one hand, that the period which has elapsed since her arrival on the coast, and the small amount of trade which has been carried on, are incompatible with legitimate commerce. On the other hand it has been contested that all these delays were caused by the light winds and calms which prevail on the East Coast, and the difficulty which was found in collecting various debts; but putting aside these theories let us look to the facts disclosed in the papers before us. The vessel arrived on the coast on the 13th of June, 1863, and was captured, said to be bound to Cadiz, on the 5th of April, 1864, being a period of nearly ten months; during this time we have no return of the amount of trade carried on by this vessel, but we have on the evidence of the master, in answer to the 14th Standing Interrogatory, that "the cargo now on board consists of rice, ebony, cloves, cocoa nuts, and leaden paper." It is utterly impossible to believe that in legitimate trade a vessel of 600 tons burden would remain on the coast for nearly ten months to take to Cadiz 140 tons rough rice, 800 bags of cloves, 4 tons of ebony, 4,000 cocoa nuts, and some leaden paper.

But there are other circumstances connected with this vessel that do not lead to the conclusion of her being engaged in legitimate commerce. Only one manifest has been put in evidence, and this dated Zanzibar, December 22, 1863, at which time she cleared for Cadiz *via* Mozambique, and it must be observed that the articles named in this manifest are the most unlikely to have been sent to Cadiz. Wines and spirits form the greater part, the remainder consisting of the cargo now on board. What then became of the wines and spirits? If they had been exchanged, as is usual, for African produce, the cargo should have been on board. This is endeavoured to be explained by an affidavit that part of the cargo was transferred to a vessel called the "*Duque de Tetuan*" belonging to the same owner, and commanded by a brother of the master of the "*America*;" but we have no documents before us to substantiate this assertion.

The proceedings of this vessel, however, after leaving Zanzibar, are still more unaccountable and erratic. She clears from Zanzibar for Cadiz *via* Mozambique on the 22nd December, 1863, and we find her still at Mozambique on the 18th of February, 1864, on which day she again cleared for Cadiz touching at "one place in Madagascar," and on the 16th March we find her at Nos Beh, a place perhaps in Madagascar, but a French port which she should have named on leaving Mozambique, and which is quite out of the direct route from Mozambique to Cadiz. At Nos Beh again we have her clearing on the 30th March direct for Cadiz, whereas the master and mate distinctly swear they intended to return to Mozambique.

Neither documents nor explanations satisfactory to me have been offered regarding all these more than suspicious circumstances. It may be that the rules regarding trade are very stringent on this coast, but it is absolutely necessary to uphold them if the Slave Trade is to be suppressed. It would be a most dangerous precedent to establish that if passenger ships come to this coast, they are to infringe these rules on the plea that

they are calculated for carrying passengers. In this particular case two most contradictory facts have been sworn to by the master. On one occasion, that the "*America*" was calculated for carrying 50 third class passengers; and in another, "that there was no room for slaves." Those who have seen slave-vessels arrive here with slaves on board will know what interpretation may be given to room in connection with slaves.

No sufficient evidence has been produced in this case to relieve the vessel from the penalties imposed by this Treaty, and I am of opinion she should be condemned as a lawful prize to the Crowns of Great Britain and Spain.

(Signed)

SAM. W. BLACKALL, *Governor and Acting Judge.*

Sierra Leone, August 25, 1864.

Inclosure 4 in No. 20.

Opinion of the Acting Spanish Judge.

IN the case of the Spanish ship "*America*," Antonio Bisquert, master, which was tried in this Court on Thursday and Friday in this week for being engaged in the Slave Trade, his Excellency the English Acting Judge is of opinion that the vessel be condemned.

As I see no reason whatever for supposing this vessel to have been engaged in the Slave Trade, I am anxious to state the grounds which compel me to decide that this suit ought to be dismissed, and the captors condemned in damages and costs.

The "*America*," as appears by the written evidence given on the part of the captor, was boarded on the 3rd of April last by Her Majesty's ship "*Ariel*" in longitude 46° 55' east, and latitude 13° 45' south. The Commander of the "*Ariel*" did not go on board himself, but he sent Mr. Buckle, his First Lieutenant, to search the vessel, and he was engaged about six hours in searching the "*America*."

Mr. Buckle appears to have been satisfied that everything in the "*America*" was legal, and he accordingly made the following entry on the log:—

"Sunday, 3rd April, 1864. The '*America*' was boarded by a boat from Her Majesty's ship '*Ariel*,' and searched. Three large tanks were found below full of water, also ten casks on deck, but apparently nothing to justify detention. The ship's papers appear to be correct, excepting the date of arrival at Nos Beh, which according to the log was on the 6th, but the French have entered her arrival on the 16th March. The '*Ariel*' however, arrived at Nos Beh on the 19th, and the log, as regards her arrival in Nos Beh, is considered correct. The ship has not been detained; no complaint.

(Signed)

CLAUDE E. BUCKLE *Second Lieutenant, Her Majesty's ship 'Ariel.'*

The Commander of the "*Ariel*" was not satisfied with this, and according to the statement of Mr. Dunlop, the prize officer, he followed the "*America*," never losing sight of her except at night until the 5th April, when accompanied by Mr. Buckle and another officer he proceeded on board, and detained the vessel for being engaged in the Slave Trade. This was in itself a proceeding not warranted by the Treaty, which states "that when the search is made by an officer of the cruiser who is not the Commander, the said officer shall exhibit to the captain of the merchant-vessel a copy of the before-mentioned special orders signed by the Commander of the cruiser, and shall in like manner deliver a certificate signed by him, stating his rank in the Royal Navy, the name of the Commander by whose orders he proceeds to make the search, that of the cruiser in which he sails, and the object of the search as has been already laid down. If it appears from the search that the papers of the vessel are in regular order and that it is employed on licit objects, the officer shall enter in the log-book of the vessel, that the search has been made in pursuance of the aforesaid special orders, and the vessel shall be left at liberty to pursue its voyage." I hold, therefore, that the detention of the "*America*" was illegal after she was released by Mr. Buckle. Commander Chapman, however, seized the vessel, placed a prize crew of thirteen men and three English officers on board, and sent her to this Colony for trial. He made a written declaration which contains his grounds for detaining the "*America*," namely: 1st. "Four bulkheads or divisions with several loose planks, and four tons of ebony which would make another slave-deck, a quantity of staves, &c.; 2nd. A main deck thoroughly adapted for the conveyance of slaves; 3rd. Some slave stocks; 4th. A larger quantity of water both in casks and tanks than requisite for the crew of the vessel; 5th. An extraordinary number of water-casks, and no certificate produced from any Custom-house for the same, and no security that such vessels should be used only for lawful commerce; 6th. A larger quantity of mess-gear than requisite for the crew of the vessel; 7th. Cooking range much larger than requisite for the crew of the vessel; 8th. A very large quantity of rice in husk, upwards of 100 tons, and not entered on the manifest as part cargo for trade. Also 4,000 cocoa nuts, both slave food."

This document shows that the Commander had grave doubts respecting the regularity of his own proceedings, for he goes on to observe that "I at once decided in placing a crew on board to take her to Sierra Leone to be adjudicated, as it would not delay the ship very materially; the master having informed me that he was bound to Cadiz, and I thought it would be a great blow to the Traffic to prevent him shipping his cargo."

The "*America*" on her way to Sierra Leone called at Algoa Bay, and took 11½ tons of water, some salt provisions, potatoes, a large quantity of biscuits, value 12l. English money. These articles were paid for by Mr. Dunlop, the English prize officer in charge of the "*America*," and it appears they were all put on board the ship for the use of the Spanish crew. The "*America*" was only thirty-two days going to Algoa Bay, and it is singular that although one of the grounds alleged by Commander Chapman for making the seizure was that the vessel had an excess of water and provisions on board for a crew of twenty persons, including the captain, in a voyage from Nos Beh to Cadiz, which would occupy about 100 days, there should have been any necessity to take a fresh supply of water after so short an interval, there being only thirty-six souls on board the vessel at this time.

The "*America*" arrived at this port on the 14th June, and proceedings were immediately taken against her, and she was arraigned before this Court upon the affidavit of the prize officer. Mr. Dunlop, which contains the following grounds of accusation against her, namely:—

"1st. A second main-deck fore and aft; 2nd. A set of wooden stocks with holes for shackling the feet, capable of confining twelve persons. 3rd. Sixteen large water-casks and three large iron tanks capable of containing about 5,000 gallons of water, to the best of my knowledge and belief a quantity much more than requisite for the use of the crew of the vessel as a merchant-vessel; no certificate having been produced by the master from the Custom-house at the place from which he cleared outwards, stating that security had been given by the owners of such vessel that such quantity of casks and other vessels should only be used for the reception of palm oil, or for other purposes of lawful commerce. 4th. A large quantity of mess-gear, consisting of tin drinking cups, earthenware, and tin vessels, which could be used as mess gear. 5th. Four extra boilers in the hold in addition to the boilers on deck for the use of the crew. 6th. About 130 tons of rough rice as I have been informed by the master, 3 cwt. of clean rice, 8 large bags of calavances, 6 barrels of beef and pork, 6 barrels and

3 cases of flour, and 19 barrels of biscuit, to the best of my knowledge and belief being a quantity of food beyond what might probably be requisite for the use of the crew of the vessel, the same not being entered on the manifest as part of the cargo for trade."

It thus appears that the first and second grounds of complaint alleged by Commander Chapman for seizing the vessel are abandoned by Mr. Dunlop, who, however, introduces in his affidavit a new charge, that the "*America*" had four boilers in the hold in addition to those on deck for the use of the crew.

The vessel having been brought before the Court, a claim was given in by the captain for the owner, Mrs. Portilla, of Cadiz, and in due course the Court appointed two highly respectable gentlemen of this town, namely, the harbour-master and Mr. Pinnock, formerly purser, but now the agent in the service of the African Mail Steam-Packet Company, to survey the vessel. These gentlemen made their Report on oath to the Court on the 18th July. According to this document there does not appear to be more than one bulk-head, or two, in the "*America*." The alleged slave-deck on board is entirely ignored by these gentlemen, who declare that the ship has permanent lower deck beams built with the ship fore and aft, and that the ebony on board being in billets, was not fit for a slave-deck. They also state there were no loose planks on board the vessel that could be used for such a purpose. They saw about 130 tons of rough rice on board which could not be used for human food, without being first threshed by an engine or beaten in a mortar, but none of these utensils were on board. They also reported having seen the cocoa nuts in the "*America*," but as they are not prohibited by the Treaty, it is to be regretted they were objected to by the captors. None of the mess-gear on board, as reported by the surveyors, are capable of containing more than half of a pint; and as the Treaty mentions only mess tubs or kids, which according to the evidence of these gentlemen are never less than a gallon, it appears to me that the mess-gear on board the ship does not come within the spirit or letter of the Treaty, by which alone we can decide this case. They also report having seen some suction pipes on board, but these also are not provided by the Treaty, and it is unnecessary to say anything more about them. They further report that the vessels on board for holding water could not contain more than 4,464 gallons, and the quantity of provisions as given by them is so trifling, that it is, I think, very much to be deplored that the captors should have made them a ground of objection for seizing the ship, especially as Mr. Dunlop himself, in answer to interrogatories administered to him by the claimant, admits the food on board, without taking the rough rice into account, was not in excess. The surveyors saw only one boiler (about four gallons) on board, besides the usual cooking range, to which they could not object as being unusual. Such is the substance of the Report given in by these gentlemen, and two other surveyors appointed at the instance of the claimant appear to confirm the Report made to the Court, and I think we are bound to act upon it. The captors do not appear to have been satisfied with this Report, but they took the prudent step of not cross-examining the surveyors of the Court. Mr. Dunlop, however, took the unusual course of filing an additional affidavit, in which he insinuates that the four extra boilers and some water-casks had been thrown overboard by the Spanish crew, but as it is shown in evidence that an English prize crew of six men and one officer armed were on the watch (being relieved by a fresh guard) during the whole of the voyage, it seems hardly within the range of probability that such a course of proceeding was adopted by the Spanish crew. But I am of opinion that this affidavit is wholly inadmissible on other grounds. Mr. Dunlop was in charge of the "*America*," and must be held responsible for the safe custody of the alleged equipment; he swore in his affidavit of the 17th June that no change had taken place in the vessel, and I think he ought not to be permitted to contradict his own assertion. With this affidavit the captors closed their case on the 20th July.

To displace this case the claimant put in various interrogatories, which were administered to the prize-officers and surveyors; and an affidavit of the master, mate, and boatswain was also filed in support of the defence. Upon these I shall have to remark hereafter.

I may mention that the claimants caused no delay in the proceedings, their case having been sent in on the 5th of August.

The captors had, according to the practice of this Court, only two days to reply to the defence; but they were not permitted, according to what I understand to be the practice of all Courts, to set up a new case in answer to the defence. They, however, did so; and what was its nature? The Marshal of this Court, as appears by an affidavit (which, I think, ought not to be received in evidence) made by him on behalf of the captors, discovered, upon the authority of one of the crew (a Portuguese), that there were four boilers concealed on board, which, on search, he found; but the master, mate, boatswain, and two other men, replied in another affidavit that there were never more boilers on board the vessel than there are now; and they say that if the captors were to cause the Surveyors of the Court to be examined, they would say so. The captors did not, however, see fit to examine the Surveyors, and the only conclusion I am able to arrive at is this, that there are no boilers on board like those referred to by the Marshal. There is an extra boiler, as stated by the Surveyors and admitted by the captain in replying to the 9th special interrogatory, and a few small boilers for the use of the officers and crew; these were seen by the Surveyors. It is possible, as Mr. Rainy has properly observed, that the Marshal saw some tin pots used for pitch and tar on board not taken into account by the Surveyors, and which he calls extra boilers. I entirely agree with the claimant's counsel that the Marshal's affidavit cannot be relied on, not being a competent witness on nautical matters. It is, moreover, a very improper thing for an officer of this Court to become a partizan in a proceeding like this, and I think he is very much to blame for detaining the mate, boatswain, and two of the crew on board, whose affidavit he ought to have known would be required in reply to the new case set up against the claimant. The man who gave the Marshal information about the boilers has also made an affidavit of boilers and other things having been thrown overboard before the capture of the vessel and since her arrival at this port, but as he is directly contradicted by the master, mate, boatswain, and two other men, it could hardly be expected that I could act upon his unsupported testimony, and the observation of the claimant's counsel on the character of this man has my entire approval. Moreover, I think this affidavit is also inadmissible.

The case having been delayed by the captors, in consequence of this fresh evidence, beyond the time provided by the Treaty to bring it to trial without any application to the Court to postpone it, and sufficient security given according to the Treaty, the claimant's counsel objected to our jurisdiction to entertain the cause. I think the objection was well founded, but as his Honour the learned Arbitrator agreed with his Excellency the English Judge that the objection be overruled, I should say nothing more of the matter, only that since the objection has been overruled the claimant's counsel has invited our attention to a despatch from an English Foreign Secretary of State, who appears to concur in Mr. Rainy's opinion on this point, for in that despatch Lord Clarendon says, in reply to an application from my Government, "that it is the Court of Mixed Commission at Sierra Leone that is alone competent to grant any delay in the adjudication of the cases that may be brought before it, a delay that in no case can exceed four months; and if the parties interested in the case of the '*Conchita*' had been desirous that the adjudication in this case should be suspended, then application should have been made to the Mixed Commission Court, and not to Her Majesty's Government."

I was very much surprised to hear so very little said of the rough rice, food, mess gear, and slave-deck on board, and these seem to have been practically given up by the captor's counsel; the portion of the cargo relied

upon as prohibited by the Treaty being the boilers, which, in my opinion, do not exist, and the water-casks. Respecting the boilers I have said enough already; but as regards the water-casks, I am clearly of opinion that a most satisfactory answer has been given by Mr. Rainy upon the captor's own showing. In the 11th paragraph of the master's affidavit, dated the 5th August, 1864, he states (and this is not denied by Mr. Dunlop) that when the "*America*" was detained they had the 3 tanks referred to in the Surveyor's Report and 8 pipes full of water on board. That they took thirty-one days to make the voyage to Algoa Bay; and on arrival there, the 8 casks and 2 tanks of water were consumed, along with a portion of water from the other tank. This is correct; for if it were not so, there could have been no room for the $11\frac{1}{2}$ tons, equal to 2,875 gallons of water, taken at Algoa Bay, and which was paid for by the prize officer. Now the 8 casks contained 1,040 gallons of water, the 2 tanks 1,700 gallons.

The whole of these, say 2,740 gallons of water, and also some portion in the other tank, say about 260 gallons, was consumed by 36 men on board the "*America*" during 31 days only. Now if these men were going on a voyage for 100 days, from Nos Beh to Cadiz, what quantity would they have consumed? Not less than 9,000 gallons of water; and yet one of the grounds of objection for bringing the vessel before this Court is that 4,464 gallons of water were an extraordinary quantity for the "*America*," with a crew of 20 persons on board, going on a voyage of 100 days. Again it is sworn by the master that when the "*America*" left Algoa Bay the 3 tanks and 8 pipes were quite full; that they had 36 men on board, and made the voyage to this Colony in 35 days; and on arrival here they had less than 400 gallons of water remaining. Thus 36 men consumed 3,510 gallons of water in 35 days, and yet the captors object to 20 men providing themselves with 4,464 gallons of water in a voyage likely to last 100, possibly 130, days.

The objection to the water, therefore, falls to the ground, the prohibition in the Treaty being an extraordinary number of water-casks, which extraordinary number there was none on board the "*America*."

If I turn to the remaining ground of objection, namely, the rough rice, I find it equally futile. What kind of rice is prohibited by the Treaty? Is it rice fit to feed slaves with, or is it rice not fit to feed slaves with? Let the Treaty speak for itself:—"An extraordinary quantity either of rice, of flour of Brazil, of manioc or cassada, commonly called farinha, of maize or of Indian corn, beyond what might probably be requisite for the use of the crew, such rice, flour, maize or Indian corn not being entered on the manifest as part of the cargo for trade." Now, as it is clearly shown by the evidence that rough rice is not fit for human food, and there were no utensils on board that could be used to render it fit for human food, it is unnecessary to say anything more about this objection.

With regard to the wooden stocks, they are not provided for by the Treaty, and no reasonable man will tell me they were too many for unruly passengers and crew.

The "*America*" was searched by Mr. Buckle, when all the things objected to were on board; he was of opinion that he could not legally detain her, and so certified. Other ships of war had visited her (minus the cargo of the rough rice) and released her; and even in one of the papers before the Court Captain Gardner, R.N., declares that everything in her was legal. And yet, in the face of all this evidence, the Court is asked to condemn this ship.

In my opinion, the claimant's counsel has given a complete answer to this case, even upon the captor's own showing, and I agree with him that it was unfair, after the captors had challenged discussion on the articles of impeachment only, to raise a collateral issue, of which no notice was given to his client, in reference to the alleged suspicious movements of the vessel, and the alleged irregularity of her papers, which, two days before she was seized, Mr. Buckle, the First Lieutenant of the "*Ariel*," had pronounced to be correct. But I think her movements have been fully accounted for in the answer given by the captain to the 8th interrogatory administered to him, and I agree with Mr. Rainy that the captors are not entitled to call upon the claimants to give an account of themselves before a *prima facie* case has been established that the vessel had on board articles prohibited by the Treaty. I have carefully perused the papers of this vessel, and they are perfectly in order.

It is on all these grounds, therefore, that I think no case has been made out against this vessel, and as Commander Chapman is greatly in fault, I think this suit should be dismissed with damages and costs.

If I were to hold otherwise, I should be subjecting the owner of the vessel, a respectable lady at Cadiz, the master, mate, boatswain, and crew of the vessel, to the penal consequences involved in the Treaty, upon, I may say, no evidence at all.

(Signed) MIGUEL SUAREZ GUANES.

Sierra Leone, August 25, 1864.

Inclosure 5 in No. 20.

Judgment of the Acting British Arbitrator in the case of the Spanish ship "America."

THIS is the case of a vessel seized under Spanish colours by Commander Chapman, of Her Majesty's ship "*Ariel*" on the 5th April last, in latitude $13^{\circ} 57'$ south, and longitude $46^{\circ} 4'$ east of Greenwich, on the Eastern Coast of Africa, for being equipped for and engaged in the Slave Trade in contravention of the Treaty between Great Britain and Spain bearing date the 28th June, 1835.

By the affidavit of seizure made by the prize officer, Mr. Dunlop, dated 16th June last, it appears that from information given by the Governor-General of Mozambique to the Senior Officer on the Eastern Coast of Africa, and from information received from the Secretary of State for Foreign Affairs (annexes marked B and C), that the "*America*" was suspected of being engaged in the Slave Trade. Commander Chapman was ordered to watch the movements of this vessel, and to proceed to Nos Beh, a French port on the North-West Coast of Madagascar, to which place they proceeded, and on their arrival there they found the "*America*" at anchor, and they were informed that a small vessel was daily expected to join the "*America*," and in a few days afterwards a brig arrived there and transferred her cargo of rice on board the "*America*." That the "*Ariel*" then proceeded to Bembatooka, about 200 miles to the southward of Nos Beh, where there was a considerable Traffic in Slaves, and they were there told that upwards of 1,000 slaves were being collected to be shipped in a European vessel, which was daily expected to arrive there. They thereupon again proceeded to Nos Beh, supposing the "*America*" was the vessel alluded to; and on the 5th April, 1864, being in latitude $13^{\circ} 57'$ south, and longitude $46^{\circ} 5'$ east of Greenwich, a ship, under Spanish colours, was met by them about 150 miles to the westward of Nos Beh; that he, Mr. Dunlop, accompanied Commander Chapman on board of the said vessel to ascertain her character and occupation, and upon boarding her they found that she was the said ship "*America*," commanded by one Antonio Bisquert, with a crew of twenty persons, and upon searching the hold of the said ship they ascertained she had on board the articles of slave-equipment specified in the affidavit. And thereupon Commander Chapman seized the

said ship by reason of her being equipped for and engaged in the Slave Trade, contrary to the Treaty between Great Britain and Spain.

The affidavit then proceeds to verify the papers delivered up at the time of seizure, and states that the vessel arrived at this port on the 14th June last.

Upon this affidavit the usual monition issued, the master, mate, and boatswain of the vessel were examined upon standing and special interrogatories, and a Commission of Survey and Inspection issued. The master, Antonio Bisquert, then filed a claim for the vessel and cargo, supported by affidavit.

Witnesses were examined for the defence. Subsequently several affidavits were admitted in evidence, some on behalf of the captors, and others on behalf of the claimant and for the defence; and the case came on for hearing on the 18th August instant.

On that day the claimant's proctor, Mr. Rainy, took an objection to the jurisdiction of the Court, under Article III of Annex B to the Treaty of 1835, as two months had elapsed and no judgment had been pronounced, and no security given. That objection was overruled, and the case directed to be proceeded with upon the merits, under the authority of the cases of the "*Fabiana*," May 29, 1824; the "*Conchita*," April 28, 1835; and the "*Mosca*," December 23, 1836. To these cases may be added the numerous Spanish cases decided in this Court in 1836, several months after the arrival of those vessels in this port, without any application from either party, or security given.

In one of these cases, the "*Rosarita*," this very same objection was taken by the claimant's proctor. That vessel arrived at this port on February 1, 1836, and, notwithstanding the objection taken, was condemned on July 23, 1836. (Correspondence, Class A, 1836, pp. 63-66.)

Now this vessel, the "*America*," being admitted to be a Spanish vessel, the question for decision upon the merits is, was this vessel, at the time of her detention, engaged or employed in the Slave Trade?

By Article X of the said Treaty between Great Britain and Spain it is provided thus:—"It is hereby further mutually agreed that every merchant-vessel, British or Spanish, which shall be visited by virtue of the present Treaty, may lawfully be detained, and sent or brought before the Mixed Courts of Justice established in pursuance of the provisions thereof, if, in her equipment, there shall be found any of the things hereinafter mentioned, namely:—1st. Hatches with open gratings, instead of the close hatches which are usual in merchant-vessels. 2nd. Divisions or bulk-heads in the hold or on deck, in greater number than are necessary for vessels engaged in lawful trade. 3rd. Spare planks fitted for laying down as a second or slave-deck. 4th. Shackles, bolts, or handcuffs. 5th. A larger quantity of water in casks or in tanks than is requisite for the consumption of the crew of the vessel as a merchant-vessel. 6th. An extraordinary number of water-casks or of other vessels for holding liquid, unless the master shall produce a certificate from the Custom-house at the place from which he cleared outwards, stating that a sufficient security had been given by the owners of such vessel that such extra quantity of casks or of other vessels should only be used to hold palm-oil, or for other purposes of lawful commerce. 7th. A greater quantity of mess-tubs or kids than are requisite for the use of the crew of the vessel as a merchant-vessel. 8th. A boiler of an unusual size, and larger than requisite for the use of the crew of the vessel as a merchant-vessel, or more than one boiler of the ordinary size. 9th. An extraordinary quantity either of rice, of the flour of Brazil, of manioc or cassada, commonly called farinha of maize, or of Indian corn, beyond what might probably be requisite for the use of the crew, such rice, flour, maize, or Indian corn not being entered on the manifest as part of the cargo for trade.

"Any one or more of these several circumstances, if proved, shall be considered as *prima facie* evidence of the actual employment of the vessel in the Slave Trade, and the vessel shall thereupon be condemned and declared lawful prize, unless satisfactory evidence upon the part of the master or owners shall establish that such vessel was, at the time of her detention or capture, employed in some legal pursuit."

Thus, by the terms of this Treaty, any one of the articles specified being found on board a vessel, the onus or burden of proof is thrown on the master or owners of the vessel, to show that such vessel was, at the time of her detention, employed in some legal pursuit.

Now let us refer to the Report of the Surveyors, Messrs. Thomas Pike and James Pinnock, to whose evidence little or no objection has been taken. They state they found in the hold of the vessel—

1. A large quantity of rough rice, or rice in the husk, about 140 tons or thereabouts, also a quantity in bags.

2. They found the ship had permanent lower deck beams built with the ship, running fore and aft the hold, on which there still remained a large portion of deck secured in the usual manner to the beams, affording a height of 5 feet 9 inches between the upper part of the lower deck and the lower part of the upper deck beams, and they state that the quantity of deck now fixed to the lower deck beams would form half of a complete or perfect deck.

3. In the mainhold between decks they found one pair of leg stocks capable of securing twelve persons; and they remark that these are unusual in merchant trading ships.

4. They found in a cask with one head out various articles for culinary purposes, amongst which were 76 drinking mugs or panuikins, each holding about half-a-pint, and triced up to the beam ends were 25 tin tubes or suction-pipes for sucking water from a cask or tub, and they state these are very unusual in merchant trading vessels.

5. They state they found the cooking apparatus of large dimensions, but they saw only one boiler besides the usual cooking utensils for the crew. This boiler, they state, will contain about 4 gallons.

6. And they found three iron tanks for containing water, thirteen empty casks capable of containing 130 gallons each, twelve empty kegs capable of containing 15 gallons each, and thirty-one demijohns capable of containing 4 gallons each; and they declare, after measuring the tanks, that these vessels are capable of containing 4,464 imperial gallons.

They also state they found on board about 800 bags of cloves, 50 billets of ebony about 8 feet in length, and a number of cocoa-nuts loose. But these articles are entered on a manifest made out and declared by the Master before Mr. Hines, the United States' Consul at Zanzibar, on the 22nd of December, 1863, when this vessel cleared from that place for Cadiz via Mozambique.

Now, considering the stringent character of the Xth Article of the Treaty, what is the explanation given as to the articles found on board this vessel at the time of her detention, and specified on the Affidavit of Seizure and the Surveyor's Report?

And, first, as to the vessels capable of containing water. In the affidavit of seizure Mr. Dunlop stated, that at the time the vessel was detained the vessels found on board were capable of containing about 5,000 gallons of water. By the Report of the Surveyors, the vessels measured by them, as before stated, are capable of containing 4,464 imperial gallons. And these statements are confirmed by the evidence of the boatswain of the vessel, Francisco Morales, who in his examination admitted that the vessels on board at the time of seizure were capable of containing 40 pipes of water. Now at the time of the detention of this vessel she had a crew of 20 persons

on board, including the Master, and allowing 1 gallon of water for each man, and 100 days for the voyage from Nos Beh to Cadiz, the water required for the voyage would be 2,000 gallons. It thus appears that at the time of seizure there was an excess of vessels on board capable of containing 2,500 to 2,800 gallons of water beyond what might be necessary for the use of the crew without the production of any certificate that such vessels would only be used for purposes of lawful commerce. It has been alleged that passengers might have been taken on board; but it must be observed, as will be seen afterwards, that this vessel had previously cleared from Mozambique for Cadiz without taking any passengers on board. At Nos Beh she also cleared for Cadiz without taking any passengers on board.

Then as to the deck. The Surveyors reported that the quantity of deck now fixed to the lower-deck beams would form half of a complete and perfect deck. Two witnesses, Messrs. Charles Hazleborg and Marius Reale, adduced on behalf of the claimant, have stated that the quantity of deck now fixed to the lower-deck beams would form one-fourth of flooring. But the statement of the Surveyors on this point appears to be supported by the measurements given by Mr. Snell in his affidavit of the 26th July, 1864; and to this must be added the statement of Manoel Martinez (affidavit of the 9th August, paragraph 4), "That when he first joined the vessel the open space between deck was then covered over with old planks, nailed down, which were afterwards taken up at Mozambique when they were lying at anchor there, where she remained about two months, one before he shipped and another after, and these planks were afterwards burnt." This statement of Martinez has not been contradicted.

Then as to the 76 tin drinking-mugs or pannikins and the 25 tin tubes or suction pipes. These could not have been required for the crew of nineteen persons, with no passengers on board. And it is needless to state the use that might be made of them in a vessel engaged in the Slave Trade.

With regard to the rough rice. It appears that this rice was shipped at Nos Beh, and is not entered on any manifest. The explanation given by the master on this subject is unsatisfactory. No manifest is adduced tendered for signature which the French authorities refused to sign. Certainly no such document was delivered up at the time of the detention of the vessel. It is also alleged on the behalf of the master that rough rice could not be used for human food without being first threshed, and that there were no mortars or other things on board with which rough rice could be beaten to free it from chaff. And the statement made by Mr. Dunlop that rough rice could be made fit for human food by being boiled and rubbed is denied. But on this it is sufficient to observe that there is nothing to prevent vessels engaged in the Slave Trade from being supplied at the slave-dépôt with mortars and all other necessities required for the voyage at the time of embarkation of the slaves.

Then look at the course of this vessel from the time of her departure from Cadiz to the time of her capture. She cleared from Cadiz for Buenos Ayres on the 19th of February, 1863, and arrived at Buenos Ayres on the 25th of April, 1863. No manifest of the outward cargo has been delivered up. She remained at Buenos Ayres about sixteen days, and then sailed for Mozambique, on the Eastern Coast of Africa. But before her arrival there information had been received from the Foreign Office that "she had sailed from Cadiz for Buenos Ayres, but in reality for the coast of Africa." She reached Inhambane, on the Eastern Coast, on the 30th June, 1863, where, while attempting to cross the bar at that place, three of her sailors were drowned. From Inhambane she proceeded to Mozambique, where she arrived on the 13th July, 1863. She remained at Mozambique until the 17th September, 1863, watched by the cruisers on the coast. From Mozambique she went to Zanzibar. She arrived there on the 3rd of October, and cleared from that place on the 22nd of December, 1863, for Cadiz, via Mozambique. At Zanzibar a manifest of the cargo then on board was declared before Mr. Hines, the Consul for the United States. In this manifest the cloves, ebony, and cocoa-nuts found on board at the time of capture are duly entered.

She reached Mozambique on the 30th December, 1863, and cleared from that place on the 18th February, 1864, for Cadiz, and one stop at Madagascar. The spot at which she intended to touch in Madagascar is not stated in the clearance. She was subsequently met at anchor at Nos Beh by Commander Chapman, who had been ordered to watch her movements. And at Nos Beh she cleared for Cadiz, on the 30th March, 1864, with a crew of twenty men, including the master, no passengers, and a cargo of sundry merchandize; and was, on the 5th of April, 1864, seized by Commander Chapman as before-stated: her cargo consisting at the time of seizure of 800 bags of cloves, 4 cwt. of ebony, and 4,000 cocoa-nuts, entered on a manifest, and about 130 tons of rough rice not entered on any manifest after a period of thirteen months from the date of departure from Cadiz, or nine months from the time she reached Inhambane to the time of capture.

Taking the whole circumstances of this case into consideration, I cannot but come to the conclusion that this vessel was engaged in a slave-trading voyage, and was employed in the Slave Trade at the time of her detention.

I therefore pronounce her condemnation, and the cargo on board, as lawful prize to the Crowns of Great Britain and Spain.

(Signed) JOHN CARR, Arbitrator.

Sierra Leone, August 25, 1864.

Inclosure 6 in No. 20.

Sentence of Condemnation.

In the case of the ship "*America*," Antonio Bisquert, Master.

THE sentence of the Court is that the Spanish ship "*America*," together with her cargo, equipment, and stores, be condemned as good and lawful prize to the Crowns of Great Britain and Spain.

Condemnation:

(Signed) SAM. W. BLACKALL, Governor and Acting Judge.

Dissenting:

MIGUEL SUAREZ GUANES, Acting Spanish Judge.

Condemnation:

JOHN CARR, Arbitrator.

British and Spanish Mixed Court of Justice, Sierra Leone,
August 25, 1864.

No. 21.

Her Majesty's Acting Judge to Earl Russell.—(Received October 12.)

My Lord,

Sierra Leone, September 21, 1864.

I HAD the honour of informing your Lordship in my despatch of August 30th, that the Master and Spanish portion of the crew of the condemned Spanish ship "*America*" were sent to Teneriffe in Her Majesty's ship "*Gladiator*."

There not being time to get the evidence in the case copied to send with the prisoners, the same has been forwarded, together with the original ship's papers, to Teneriffe, by the mail-packet, which leaves this day.

I have, &c.

(Signed)

SAM. W. BLACKALL.

No. 22.

Her Majesty's Acting Judge to Earl Russell.—(Received November 12.)

My Lord,

Sierra Leone, September 30, 1864.

WITH reference to my despatch of 19th August, reporting the detention of the Italian ship "*Ricarda Schmidt*" in this harbour, by Lieutenant Dunlop, R.N., on suspicion of having been fitted for the Slave Trade, I have now the honour to inform your Lordship that the case was tried in the Vice-Admiralty Court on the 26th instant, when the vessel was restored, without costs and damages.

I have the honour further to report that before Lieutenant Dunlop left the colony, but after the trial had concluded, a letter was received from Commodore Wilmot, confirming the suspicious movements of this vessel.

There are other circumstances which require explanation with regard to the "*Ricarda Schmidt*," and which can only be cleared up on the arrival of the "*Pandora*," a cruizer which the Captain of the "*Ricarda Schmidt*" asserts to have visited his vessel, but of which there is no official entry in the log.

The owners of the "*Ricarda Schmidt*" have, I understand, given notice of appeal, in hopes of obtaining damages and costs, but I trust your Lordship will find that Lieutenant Dunlop deserves the favourable consideration of the Government.

I have, &c.

(Signed)

SAM. W. BLACKALL.

No. 23.

Her Majesty's Acting Judge to Earl Russell.—(Received December 12.)

My Lord,

Sierra Leone, November 19, 1864.

I HAVE the honour to transmit to your Lordship the account sales of the Spanish ship "*America*," which was condemned in the British and Spanish Mixed Court of Justice on 25th August, 1864.

The net proceeds of the sale of the vessel and cargo, amounting to the sum of 1,068*l.* 6*s.* 4½*d.*, have been paid into the Treasury chest in this Colony, and a receipt for the amount from the Senior Commissariat Officer accompanies the inclosed accounts.

There has been an unusual delay in completing these accounts, which was caused by circumstances set forth in a letter from the Marshal to the Registrar, a copy of which I forward to your Lordship, and which explanations I beg to say are quite correct.

I have, &c.

(Signed)

SAM. W. BLACKALL.

Inclosure 1 in No. 23.

*British and Spanish Mixed Court of Justice.**Spanish ship "America."*

GENERAL ACCOUNT showing Net Proceeds of the Sale of the Hull, Tackle, Apparel, Furniture, and Stores of the Spanish ship "*America*," condemned in the British and Spanish Mixed Court of Justice for the prevention of the illicit Traffic in Slaves, on the 25th August, 1864.

	£	s.	d.	£	s.	d.
By Gross amount of sale	..	..	..	1,925	9	1
Moneys taken from the crew of the " <i>America</i> "	..	..	..	65	13	2½
				1,991	2	3½
<i>Disbursements.</i>						
To 3½ per cent. commission on amount of sale (1,925 <i>l.</i> 9 <i>s.</i> 1 <i>d.</i>)	67	7	10			
Amount of contingent expenses, viz. :—	£	s.	d.			
Surveyors reporting on the outfit and equipment	29	8	0			
Labourers employed in shifting and landing the cargo, &c., &c.	191	12	8			
Other expenses	89	11	4			
Customs duties and charges	139	6	1			
				449	18	1
Amount of Marshal's account	405	10	0			
				922	15	11
Net proceeds				1,068	6	4½

Amounting to the sum of one thousand and sixty-eight pounds, six shillings, and four pence halfpenny.

(Signed) A. PIKE, *Marshal.*

Sierra Leone, 15th November, 1864.

Inclosure 2 in No. 23.

*Receipt.**British and Spanish Mixed Court of Justice, Sierra Leone.*

In the case of the Spanish vessel "*America*," whereof Antonio Bisquert was master, seized and taken by Her Britannic Majesty's steam-ship "*Ariel*," William Cox Chapman, Esq., Commander, for illicit Traffic in Slaves.

Received the 17th day of November, in the year of our Lord 1864, out of the Registry of the said Court, the sum of one thousand and sixty-eight pounds, six shillings, and four pence halfpenny, said to be the proceeds arising from the sale of the said vessel and cargo, for which I have signed three receipts, of the same tenor and date, to serve as one.

(Signed) JAS. A. F. MITCHELL, *Controller.*

Inclosure 3 in No. 23.

*Mr. Pike to Mr. Smith.**Freetown, Sierra Leone, November 15, 1864.*

Sir, I HAVE the honour to request that you will have the goodness to lay before their Honours the Judges of the British and Spanish Mixed Court of Commission the following statements explanatory of the causes which led to the delay in closing and rendering the accounts of the Spanish ship "*America*."

The Commissioners of Survey required the entire cargo and ballast of the "*America*" to be cleared to the skin of the vessel fore and aft. To do this, a considerable quantity of rice stowed in bulk had to be bagged and stored on shore, a tedious process at any time, but rendered more so owing to the precaution requisite to protect the rice from wet during the rains common at that time of the year. The ballast, of which there was said to be about 250 tons on board, was of such a nature as to render it difficult to remove either by hand or with the aid of shovels, being a mixture of sand and stone. Filling the tanks from the shore was another cause of delay.

After adjudication, the same reasons operated in removing the remaining portion of the cargo of the "*America*," and none but those who have had experience know how tedious a work it is to measure out rice by the bushel. The time taken up, as with the strength employed in clearing hawse, appears great; this was occasioned by the chains being fouled by a heavy hawser supposed to have been lost by some other vessel, and which was eventually hauled on board and brought to the windlass, when it parted below water, and about forty fathoms remain at my wharf at date.

As regards the disposal of the large quantity of cloves this vessel had on board, every pound of which had to be weighed before delivery, it was necessary to spread the sales over a considerable period, the rains preventing any large amount being exposed for sale at a time, without the risk of injury from wet.

Delay was again unavoidable, because accidentally occasioned, upon the beaching of the vessel. The

"*America*" was beached in Susan's Bay, the customary place for breaking up slave-vessels. I was on board, and as soon as the vessel struck, a hawser was made fast on shore; and the port anchor dropped to keep her in shore, when I left her, considering her securely beached. In the night I was informed by the ship-keeper that the vessel strained, began to fill, and gradually slipped off the beach upon which she had been placed and settled down, her bow in four fathoms, and her stern in six feet water; the existence of this pit or basin was unknown to me, but into this pit the "*America*" settled. It then became my duty to break her up in the best way I could, and having consulted with Commander Chapman of Her Majesty's ship "*Ariel*," it was considered best to remove such portions of the vessel as remained above water, and then blow up the remaining portions of the hull. This was done, and the materials realized at auction reasonable prices.

By the accidental slipping off the beach of the "*America*" upon the night of her being beached, tools were lost to me of the value of £151., having placed on board a large number of shovels, pickaxes, crowbars, and maul hammers, for the next day's use; this, coupled with the cost of labour and gunpowder since the 17th September necessary for blowing up the vessel, has greatly increased the expenses beyond those for cutting the vessel into four separate parts.

I have, &c. _____
(Signed) A. PIKE, *Marshal, Mixed Commission Courts.*

HAVANA.

No. 24.

Her Majesty's Commissary Judge to Earl Russell.—(Received January 12, 1864.)

My Lord,

Havana, December 12, 1863.

WITH reference to the despatch which I did myself the honour of addressing to your Lordship on the 16th ultimo, I have to acquaint your Lordship that the negroes who were captured at Colon and brought to this place are being parcelled out as emancipados. I have ascertained that they were landed from a steamer under Spanish colours, called the "*Cicéron*," which was dispatched from Cadiz, cleared, it is said, for Matamoros, which steamer, after having landed the slaves, proceeded to Isla de Mujeres, coast of Yucatan, and was seen coaling from a vessel which had been sent there to await her arrival.

As soon as I received this information, I communicated it to his Excellency the Captain-General, and I have reason to believe that a Spanish man-of-war steamer was sent to the Isla de Mujeres on the day following, but I have not learnt the result.

It appears that four steamers were fitted out and sailed from Cadiz; one of which was the "*Cicéron*," of whose cargo 1,105 were captured at Colon; another has landed a large number of negroes, also at or near the Ensenada de Cochinos, and the Captain-General tells me that these are in the marsh to the northward of the place of their landing, and he hopes to capture them, having intercepted the correspondence respecting them; a third, his Excellency says, was captured by a British cruiser; and the fourth is expected to attempt a landing at Sagua el Chico, district of Remedios.

This proves that slave-trading is intended in future to be carried on by the use of steam-transports, and, consequently, that only wealthy parties can engage in it to any extent, unless the expeditions are got up in shares; but there is little doubt the four steamers which sailed from Cadiz belong to four persons* who are well known here as veterans in the abominable Traffic, although they have hitherto been able to screen themselves and elude detection.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 25.

Her Majesty's Commissary Judge to Earl Russell.—(Received January 29, 1864.)

My Lord,

Havana, December 31, 1863.

I HAVE the honour of reporting to your Lordship that no emancipated negroes have been sent from this to Jamaica during the year ending this day.

I have, &c.
(Signed) JOS. T. CRAWFORD.

* One-half, Don Julian Zulueta, Havana; one-fourth, José Carreras, Havana; one-eighth, José Barro, Havana; one-eighth, José Rousel, Cardenas.

No. 26.

Her Majesty's Commissary Judge to Earl Russell.—(Received January 29, 1864.)

My Lord,

Havana, January 1, 1864.

IN obedience to the Act 5 Geo. IV, cap. 193, directing such Returns to be made on the 1st of January and 1st of July in each year, I have the honour of reporting to your Lordship that there was no case brought for adjudication before the Mixed Court of Justice at this place during the last six months.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 27.

Her Majesty's Commissary Judge to Earl Russell.—(Received March 14.)

My Lord,

Havana, February 19, 1864.

I BEG leave to refer your Lordship to a paragraph in my despatch of the 16th November last, which reported the capture of 1,105 Bozal negroes by the officers of the district of Colon, wherein, adverting to the operation of the 9th Article of the Penal Law, I observed "that it would not surprise me, if after some time has gone by, and especially if his Excellency (General Dulce) were to be removed, if under a Captain-General less scrupulous, the Royal Audiencia, upon application of some claimant, should decree the restitution of these captured slaves."

I must confess, however, that I hardly expected what I then put forth as possible would already have occurred.

But it appears that the parties speculating upon the change of Ministry in Spain, reckon upon General Dulce's removal, and they have actually preferred their claim before the Royal Audiencia under the 9th Article of the Penal Law for restitution of the negroes captured by the authorities of Colon, against whom they claim punishment by fine, destitution, and ineligibility to hold any office under the Government in future.

It is said that the claimants are prepared to spend a large amount of money to substantiate their claim, and that they have obtained any quantity of cédulas and passes for these Bozals, to show that they were only being removed from one part of the island to another.

In the meantime I have received undoubted information that amongst the unfortunates of that expedition there were twelve negroes speaking English perfectly well, one of whom, said to have been educated and very intelligent, died at the hospital here, and the remaining eleven are described to me as being those known as kroomen at the Coast of Africa.

I lost no time after I received the above information in claiming these English negroes, and I have the honour of laying before your Lordship the inclosed copy of a correspondence which I have had with the Captain-General on that subject.

I am most anxious that these victims should be given up to me, but I am also most anxious that their declarations (which I have asked for) should be taken in the presence of the Vice-Consul as to the manner in which they became captives, and the circumstances of their introduction into this island, but I believe that everything will be done to thwart me in both these important objects; as their delivery to me, and the truths which would be elicited by their declarations, would most probably lead to disclosures important to humanity, and consequently very undesirable for those concerned in the expedition.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 27.

Her Majesty's Commissary Judge to the Captain-General of Cuba.

Havana, February 15, 1864.

IT has come to my knowledge that among the negroes lately captured by the authorities of Colon, there were twelve free Englishmen, of those who are known as kroomen on the Coast of Africa, and that of these one has died in the hospital, eleven remaining, who being considered as British subjects I respectfully claim, and I hope

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they will be placed at my disposition, as it may be conducive to the ends of justice in ascertaining the circumstances of these men's captivity and introduction into this island.

I request your Excellency will be pleased to order their respective declarations, and permit that the British Vice-Consul shall be present at that act of public justice.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 27.

Her Majesty's Commissary Judge to the Captain-General of Cuba.

Havana, February 16, 1864.

WITH reference to my letter of yesterday's date (official), claiming eleven English negroes who are amongst those captured of the expedition of Colon, I have now the satisfaction of adding to their official application the numbers of said negroes, viz., 3,989, 3,982, 3,826, 3,981, 3,990, and I hope, consecutively, to have the pleasure of giving your Excellency the numbers of the other six, for their identification and restoration to freedom.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 3 in No. 27.

The Secretary to the Captain-General of Cuba to Her Majesty's Commissary Judge.

(Translation.)

Havana, February 16, 1864.

HIS Excellency the Captain-General has received your Honour's letter of yesterday, and has charged me to say to you that he is entirely ignorant upon the subject you refer to, relative to their being twelve free English individuals among the negroes lately captured by the authorities of Colon, who are known as kroomen at the coast of Africa.

He has, therefore, sent your letter to the Magistrate of the Royal Audiencia, Don Ramon Navarro, who, commissioned by said Court, has the charge of that matter, and his answer will be sent to you as soon as it has been received.

God preserve, &c.

(Signed) JOSE VALLS Y PUIG.

Inclosure 4 in No. 27.

The Secretary to the Captain-General of Cuba to Her Majesty's Commissary Judge.

(Translation.)

Havana, February 19, 1864.

IN consequence of your Honour's letter of the 15th instant, which by order of the Captain-General I passed to the Auditor Don Ramon Navarro, Judge in the cause of the capture made in the jurisdiction of Colon, of the expedition of negroes landed near Cienfuegos, his Excellency orders me to transmit to your Honour, as I do, the official answer which has been addressed to him by said Auditor:—

"Most Excellent Sir,

"As I have had the honour to acquaint your Excellency in a late communication, I have sent the cause pending before me, relative to the introduction of Bozal negroes at Cienfuegos and Colon, to the second sala of the Royal Audiencia; for that reason I have not now in my possession the official data by which officially to reply to your Excellency; as to whether in the captured expedition there were twelve men of those called kroomen, whom Her Britannic Majesty's Consul considers English subjects, and whose delivery he claims.

"Notwithstanding, I can assure your Excellency by the recollection I have of the proceedings, that amongst the Bozals remaining at the depôt on my return from Colon I only found one who spoke English, but who also speaks Spanish and more than twenty dialects of his own country, but who up to this time does not appear to be a subject of the English nation, nor is there the slightest data on which to found such assertions.

"I have also been informed by the Administrator of the depôt that there died in the hospital one of the captured negroes who spoke and wrote English perfectly, which information, in so far, is in conformity with what is indicated by the Consul respecting that individual. As to the rest, and in conformity with the desires expressed by him to your Excellency, I have passed your Excellency's communication to the Court where all the antecedents are, in order that they may decide according to justice."

This is what I have to say to your Honour in answer to your official letter of the 15th.

God preserve, &c.

(Signed) JOSE VALLS Y PUIG.

No. 28.

Earl Russell to Her Majesty's Commissary Judge.

Sir,

Foreign Office, April 1, 1864.

I HAVE received your despatch of the 19th of February last, reporting that the parties interested in the cargo of slaves introduced into Cuba in the month of November last by the steamer "*Cicero*," and which were seized by the Captain-General, have preferred a claim before the Court of Royal Audiencia for the restitution of the negroes.

You state also that, in consequence of having received information that, among the negroes in question, there were twelve of them who spoke English well, you lost no time in claiming them; and you inclose copies of a correspondence which has passed between you and the Captain-General on this subject.

I have to acquaint you that I approve your conduct in this matter, and I have to desire that you will spare no endeavours to ascertain whether these unfortunate people are really entitled to British protection; and should the result of your inquiries lead you to believe that this is the case, you will inform the Captain-General that you are instructed to request that they may be given up to you; or if he has no power to do this of his own authority, that the negroes in question may be placed apart to await the result of communications which will be addressed by Her Majesty's Government to the Government at Madrid on this subject.

I am, &c.

(Signed) RUSSELL.

No. 29.

Her Majesty's Commissary Judge to Earl Russell.—(Received April 28.)

My Lord,

Havana, April 2, 1864.

WITH reference to my despatch of the 19th February, laying before your Lordship a correspondence which I have had with his Excellency the Captain-General respecting certain of the negroes who were captured in the expedition at Colon in November last, who are reported to me to speak the English language fluently, as well as otherwise inducing the belief that they are of those known as kroomen of the British settlements in Africa, I claimed to have these men examined with a view to ascertain their circumstances, and how they had been abducted from Africa and introduced into this island to be sold into slavery.

It appears that recently the Captain-General's position as respects the Royal Audiencia has been altered, and that he no longer presides that judicial assembly, which, according to the Penal Law of Spain (1845) has cognizance of all matters connected with the Slave Trade; and so the Captain-General considered it necessary to pass my correspondence to his Excellency the Regent of the Supreme Court, instead of ordering the eleven negroes indicated and described by me to be separated from the rest who were captured at the same time, in order to their being interrogated and examined in the manner I requested.

It will be unnecessary to point out to your Lordship what would, in all probability, have been the result of acceding to that request: if nothing else came of it, the truth would have been elicited as to the voyage of slaver and the criminal disembarkation of the negroes of that expedition; and your Lordship will see that the Royal Audiencia objects to their declarations being taken in my presence, or that of the Vice-Consul, or of any person from this office.

I am therefore very apprehensive that, notwithstanding the Captain-General's expectation expressed upon this subject, that the captured negroes of the Colon expedition will be declared emancipados by the Royal Audiencia, they will be restored to the owners of that expedition, and be reduced to slavery.

I know not whether, in the position which I have assumed in this correspondence, that "the Royal Audiencia has no jurisdiction in dealing with the freedom of British subjects," circumstanced "as these negroes are reported to me to be," I am right, or whether the Fiscal of the Supreme Court's report to the Regent, which the Tribunal has accepted, is the proper legal opinion as to this matter. But it appears to me that, had there been any intention of eliciting the truth, the claim put in by me to have the men I designated separated from the rest of the expedition, and that their declarations should be taken before a magistrate appointed for the purpose, assisted by competent interpreters, in my presence, or in that of the British Vice-Consul, was unobjectionable; but I much fear it will not be conceded, or that if it is, some other means will be devised to defeat the objects I had in view, which were, first, to have established the men's right to their freedom, and then, by proof of the illegal introduction of the whole expedition, to have had the rest declared emancipados.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 29.

The Secretary to the Captain-General of Cuba to Her Majesty's Commissary Judge.

(Translation.)

Havana, March 1, 1864.

HIS Excellency the Governor Captain-General has ordered me to transmit to you, as I now do, the inclosed official letter, which has been addressed to him by Don Ramon Navarro, a Magistrate of the Royal Audiencia, to whom the descriptions of the negroes whose numbers you gave were passed:—

"Most Excellent Sir,

"Your Excellency's communication of yesterday is received, with reference to the claim of Her Britannic Majesty's Consul to certain negroes who belong to the cause I am drawing up. I have reported the case to the Second Court of Justice of the Real Audiencia, wherein the first proceedings have taken place, which I have the honour of stating to your Excellency in answer."

God preserve, &c.

(Signed) JOSE VALLS Y PUIG.

Inclosure 2 in No. 29.

The Secretary to the Captain-General of Cuba to Her Majesty's Commissary Judge.

(Translation.)

IN consequence of your Honour's letter of the 15th instant, which, by order of the Captain-General, I passed to the Oidor Don Ramon Navarro, Judge in the cause of the capture made in the jurisdiction of Colon, of the expedition of negroes landed near Cienfuegos, his Excellency orders me to transmit to your Honour, as I do, the official answer which has been addressed to him by the said Oidor:—

"Most Excellent Sir,

"As I have had the honour to acquaint your Excellency in a late communication, I have sent the cause pending before me relative to the introduction of Bozals (negroes) at Cienfuegos and Colon, to the second Sala of the Royal Audiencia. For that reason I have not now in my possession the official data by which officially I can reply to your Excellency as to whether in the captured expedition there were twelve men of those called Kroomen, whom Her Britannic Majesty's Consul considers English subjects, and whose delivery he claims.

"Notwithstanding I can assure your Excellency, by the recollection I have of the proceedings, that amongst the Bozals remaining in the depôt, on my return from Colon, I found one only who spoke English, but who also spoke Spanish, and more than twenty dialects of his own country, but who, up to this present time, does not appear to be a subject of the English nation, nor the slightest data on which to found this assertion.

"I have also been informed by the Administrator of the Depôt that there died in the hospital one of the captured negroes, who spoke and wrote English perfectly, which information, in so far, is in conformity with what is indicated by the Consul respecting that individual.

"As to the rest, and in conformity with the desire expressed by him to your Excellency, I have passed your Excellency's communication to the Court where all the antecedents are, in order that they may decide according to justice."

This is what I have to say to your Honour in answer to your official letter of the 15th.

God preserve, &c.

(Signed) JOSE VALLS Y PUIG.

Inclosure 3 in No. 29.

*Her Majesty's Commissary Judge to the Captain-General of Cuba.**Havana, February 22, 1864.*

I HAVE had the honour of receiving the Government Secretary's letter of the 19th instant, communicating to me, by your Excellency's direction, the answer given by the Magistrate of the Royal Audiencia, Don Ramon Navarro, to my letter of the 15th, addressed to your Excellency, claiming as British, and consequently as freemen, 11 of the negroes of those captured at Colon.

The Magistrate, Don Ramon Navarro, it appears by his letter, had, previous to his answering your Excellency, transmitted the cause to the Second Sala of the Royal Audiencia, and states, that from the recollection he has of the proceedings, that at the depôt, on his return from Colon, there was only one of the negroes who spoke English, but that he also spoke Spanish, and twenty or more of the dialects of his own country.

The description thus given by the Magistrate is precisely that of a Krooman of the coast of Africa, and I have to request that your Excellency will give orders for that negro to be interrogated, and his declaration taken, permitting the British Vice-Consul to be present, and to put such questions to said negro as may be necessary to elicit the truth, as regards his captivity, abduction from Africa, and introduction into this island; and I request also that the others of these captured negroes, whose numbers I transmitted to your Excellency in my letter of the 16th, may also be examined, and their declarations taken in the same manner, the British Vice-Consul being present at that act of justice.

As soon as I can with certainty indicate the numbers of the other six who speak English, who are among the captured of that expedition, I shall transmit them to your Excellency, requesting that their declarations may be taken in the same manner.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 4 in No. 29.

*Her Majesty's Commissary Judge to the Captain-General of Cuba.**Havana, March 5, 1864.*

I HAVE the honour of acknowledging the receipt of the Government Secretary's letter of the 22nd ultimo, acquainting me that the Oidor Don Ramon Navarro, to whom your Excellency was pleased to transmit my letter of the 22nd idem, and my previous communications, respecting five of the negroes whose numbers I furnished in my letter of the 16th ultimo, and six more, all belonging to the captured expedition of Colon, had been by the said Magistrate sent to the Second Sala of the Royal Audiencia, where the question of the capture of that expedition is pending.

The negroes known by the Nos. 3989, 3982, 3826, 3981, and 3990, as well as six others, and one who died at the hospital, were brought from the coast of Africa, on board the steam-vessel "*Cicéron*," and were landed from her on this island. Of these the eleven surviving I have claimed to be delivered up to me as English kroomen, who have been kidnapped and abducted from the coast of Africa.

I have requested your Excellency's authority to produce these men, who are free, and cannot be dealt with as slaves.

Your Excellency, instead of acceding to my reasonable request, has passed this important matter to the Royal Audiencia. That august tribunal, as relates to the freedom of British subjects, your Excellency must be aware, can have no jurisdiction, and, in the execution of my duties for the protection of the eleven negroes who have been illegally taken from their homes in Africa, and who, I am satisfied, are entitled to British protection, I must insist that they be produced without further delay, and that I shall be allowed to examine them, and take their declarations in order to elicit the truth with regard to them, their abduction from Africa, and their introduction into this island, with the guilty intention of placing them in slavery.

Much time has already been lost in bringing forward these unfortunate persons for examination, and I hope that your Excellency will be pleased to dispose that no further delay shall take place.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 5 in No. 29.

The Secretary to the Captain-General of Cuba to Her Majesty's Commissary Judge.

(Translation.)

Havana, March 12, 1864.

IN consequence of your Honour's letter of the 5th, which his Excellency the Captain-General passed to the illustrious Regent of the Royal Audiencia, his Excellency has ordered me to transmit to you the inclosed copy of the certificate presented by the Fiscal of Her Majesty, and approved by the Second Royal Court of Justice with regard to said letter of your Honour, relating to the claim for some negroes, in the cause which is being drawn up by the Oidor Don Ramon Navarro, respecting a landing of Bozals in the jurisdiction of Cienfuegos.

By the contents of that document your Honour will please to observe, as his Excellency desires me to say to you, that the decision you ask for is not within his authority, but specially belongs to the Supreme Court of Justice, according to the penal law on the matter; consequently the decision of the affair depends on that tribunal.

You will therefore understand that he cannot comply with your wish, as the case is not within the sphere of his attribution.

God preserve, &c.

(Signed) JOSE VALLS Y PUIG.

Inclosure 6 in No. 29.

Certificate.

(Translation.)

DON JOSE SOROA, Notary of the Court of the Royal Audiencia.

I certify that, in consequence of a communication from his Excellency the Superior Governor Civil relative to the cause which the Oidor Don Ramon Navarro is commissioned to prepare the process as to the landing of Bozals near Cienfuegos, the Second Royal Court has been pleased to decree in conformity with what has been represented by the Fiscal, as follows:—

"Reply to his Excellency the Governor by the Regent, with Copy of the previous Decision, signed 'Busto, Villasescusa, Suplente Reyes Gavilad, José Soroa.'

"Most Excellent Sir,

"Havana, March 7, 1864.

"Her Majesty's Fiscal says that he has informed himself as to the official communications addressed by Her Britannic Majesty's Consul in this place to the Captain-General, dated 15th and 22nd February last, and which, having been transmitted to the Oidor in commission, Don Ramon Navarro, on the 16th and 25th of the same, have been by him presented to the Second Court for a convenient resolution and says, that the Consul claims eleven of the negroes captured by the Lieutenant-Governor of Colon on the 11th of November last, in the belief that they are British subjects, and asks two things; 1st, that they be placed at his disposition; and, 2nd, to ascertain the circumstances of their captivity and introduction into this Island, and permit that the British Vice-Consul should be present when taking their declarations. The negroes claimed, says the Consul, are of those known on the coast of Africa as Kroomen, and, in his late communication, designates five of them, and expresses how they were called in Africa, and gives the numbers and names which they have at the dépôt. Consequently the identification of six of those claimed is wanting, and it must be shown that they are British subjects, as their speaking English is not a conclusive evidence of their being so. When these requisites are filled up, the Fiscal will consider the Consul's petition for their delivery. As respects the permitting the intervention of a functionary from the delegation when taking their declarations, the Judge cannot do less than oppose it, as he does object to it at once; because the state of the summary in the cause by no means admits of it, being in the very vitality

of the proceedings. In this sense your Excellency may order the Representative of Her Britannic Majesty to be answered by his Excellency the Governor Captain-General, or decree whatever else may be in accordance with justice."

And in compliance with my orders I send this present.

Havana, March 8, 1864.

(Signed)

JOSE SOROA.

Inclosure 7 in No. 29.

Her Majesty's Commissary Judge to the Captain-General of Cuba.

Havana, March 12, 1864.

I HAVE the honour of acknowledging to your Excellency the receipt of the Secretary's letter of this date, in which I am informed, by your Excellency's direction, that my communication of the 5th instant had been referred to his Excellency the Regent of the Royal Audiencia, and transmitting to me a copy of the Resolution of the 2nd Sala of that tribunal upon my previous letters of the 15th and 22nd February, respecting certain of the negroes who were among those apprehended by the Lieutenant-Governor of Colon.

The Royal Audiencia by that Resolution has refused my intervention on behalf of the eleven persons who are comprised in that expedition, and who, according to the information I have received, are entitled to British protection. Had the Royal Audiencia acceded to my request that the declarations of those eleven negroes should have been taken by a Judge in my presence, or in the presence of the British Vice-Consul, the fact would have been ascertained with respect to them, and the circumstances of their abduction from Africa, and their illegal introduction to this Island. But your Excellency will permit me to state that it is your Excellency, in your high capacity of "Juez de los Estrangeros," to whom I have a right to apply for the production and examination of these negroes.

They, as freemen, cannot come under the operation of the Penal Law of Spain, and consequently, are not under the jurisdiction of the Supreme Court, nor of any other, but are entitled to the protection of that which is presided by your Excellency. In the official communication which I did myself the honour of addressing to your Excellency on the 5th instant, I stated to your Excellency that the Royal Audiencia, as relates to the freedom of British subjects, can have no jurisdiction. To that tribunal your Excellency has referred the urgent communications which, in the execution of my duties, I have addressed to your Excellency on this subject, and I am obliged to protest most respectfully but firmly against that jurisdiction. Already many months have elapsed since the unfortunate victims of the slave-trader's cupidity, on whose behalf I am claiming, are suffering in captivity, and I hope that your Excellency will at once give orders for their production.

I have, &c.

(Signed)

JOS. T. CRAWFORD.

Inclosure 8 in No. 29.

The Secretary to the Captain-General of Cuba to Her Majesty's Commissary Judge.

(Translation.)

Havana, March 15, 1864.

INCLOSED I have the honour of transmitting to your Honour a copy of the certificate of what has been presented by the Fiscal Minister, and approved by the Second Royal Court of Justice of the Royal Audiencia, in the cause formed upon the apprehension of Bozal negroes by the authorities of Colon, in consequence of your Honour's claim of some of said negroes, which I do by order of his Excellency the Superior Civil Governor for your knowledge and advisement.

God preserve, &c.

(Signed)

JOSE VALLS Y PUIG.

Inclosure 9 in No. 29.

(Translation.)

*Regency of the Royal Audiencia de la Havana,
Havana, March 12, 1864.*

Most Excellent Sir,

I HAVE the honour of placing in your Excellency's hands a certificate of what has been represented by the Fiscal Minister, and approved by the Second Royal Court of Justice, in the cause formed upon the seizure of an expedition of Bozals by the authorities of Colon, as directed by the said Royal Sala.

God preserve, &c.

(Signed)

EDUARDO ALONZO COLMENARES.

"Most Excellent Governor,

"Don José Soroa, Notary of the Royal Audiencia, certifies—

"That in the cause going on as to the seizure of an expedition of Bozals by the authorities of Colon, it has been represented by the Fiscal, and approved by the Second Royal Sala of Justice, as follows:—

"Most Excellent Sir,

"Her Majesty's Fiscal says: That he has informed himself of the new communication which Her Britannic Majesty's Consul addressed on the 5th instant to his Excellency the Captain-General of this island, and which was passed yesterday afternoon to this office by a Disposition of the 9th. Therein the Consul insists upon the delivery to him of the 11 negroes claimed in his former official letters; and as regards his pretension to intervene in the declarations which are to be taken from them in the trials, which likewise now appears to be modified to that his Honour should be allowed to examine them, for the purpose of eliciting the truth from them as to their violent abduction from the coast of Africa and their introduction into this island, with the criminal intention of reducing them to slavery. Considering the terms in which the communication is conceived, it is of much importance to the Court, and it is above all the duty of the Fiscal, to place the question in its true point of view; because the Consul withdrawing it from its proper sphere, complains that his Excellency the Captain-General has not at once decided as solicited from the beginning, and has submitted it to the decision of your Excellency. On

this proposition the Consul says, "that as respects the freedom of British subjects, your Excellency has no jurisdiction;" and against such a manifestation the Fiscal cannot do less than to raise his voice in defence of your Excellency's jurisdiction, making the most energetic and efficacious protest, if thereby, as it seems, he would signify that the Court is not competent to take cognizance of the matter. Your Excellency is the only authority to whom it corresponds to decide upon the claim of the Consul, and the Undersigned confides in that his Honour will in the end acknowledge that this is the case, and will wait patiently for the resolution which your Excellency will come to in your never-mistaken justice, which never injures, bearing in mind the rights and privileges of English subjects, as you have always done, and as it is desired by the august Sovereign whom this tribunal represents. We are dealing with an expedition of negroes who are considered as Bozals, who have just been landed on Spanish territory, and not of a capture at sea, which act presupposes a crime which it belongs to the Spanish Courts to punish, and the only and exclusive Judge in the First and Second Instance is the Tribunal of your Excellency, who delegates to one of its worthy Magistrates the power necessary to draw up the summary, and the functionaries of civil order who carry out the measures in such cases are considered as auxiliaries thereof. As a natural and inseparable consequence of this principle, the civil authorities who make seizures of negroes pass their proceedings of the moment to the Oidor, who is commissioned by the Sala, as soon as he presents himself, or in his defect to the Magistrate of the district where the seizure has been made, and the negroes captured are, as a right, at the disposition of the Sala, or its delegates (even although formal delivery has not taken place), from the instant that that has been carried into effect. The reason of this is very obvious. The corresponding procedure is like to all others in criminal cases. The practice established in Spain with regard to the mode of proceeding, founded on principles of criminal law, prescribes that the Judge put into safe custody all persons indicated as delinquents, and who in technical terms are called *corpus delicti*. The *corpus delicti*, in the case in question, are the unfortunate Africans, who by the "Traffic" were intended to be reduced into slavery; and it is not beyond possibility that when a seizure takes place there may be amongst them men of the same colour who are not Bozals, but may belong to the class of persons responsible for the crime of which the rest are the victims. Let it not be thought, however, that in expressing himself thus the Fiscal wishes to signify that amongst the negroes captured in the jurisdiction of Cienfuegos in the middle of November last, there are those who under the name of kroomen and claimed by the English Consul, are such criminals. Let us not establish a possible case, and nothing prejudice. That is a point to which the judicial investigation is to be directed, and as to which, in the case of its not being already begun, the Ministry reserves to itself to ask what may be conducive. But in the meantime he does not hesitate to affirm that the detention of such men, if they exist, was proper, and that for the reasons expressed to your Excellency they ought to make their claims to any other authority or private person who considers he has the right, but that to your Excellency exclusively it belongs to decide. The solicitude of the Consul, independent of this, can never be agreed to without any proof in support of his grounds of claim. He in no way adduces proofs of identity or nationality of these men, and the Tribunal will decide upon the merits of the case. For the rest, the Fiscal does not object that these men may be examined by the Consul, or by any member of the British Legation, by going for that purpose to the depôt where they ought to be; because bearing in mind the principle that the destination given to captured negroes from out the depôt is with the object of instructing and civilizing them, coming as they do in a savage state, that measure ought not to take place with those who manifestly are not so, as ought to be the case with those called kroomen; and if the contrary has happened, the Court has not authorized it, nor knows of it, and may decline all responsibility.

"Finally, the Fiscal does not lament less than the British Consul the fate of the unhappy people who by one or other means are the victims of the immoral Traffic. Amongst them are to be counted those claimed by his Honour, if they have been torn from the coast of Africa, notwithstanding that their personal circumstances render it impossible for them to be suitable for the objects of the Traffic. This, and the circumstance of their having been landed with Bozals, cannot fail to have prejudiced them. But the Tribunal will do them justice, and will never declare them to be slaves if, in effect, they are British subjects, nor would they if they were of any other nation and had not previously been in a state of slavery. Neither will they as respects Bozals, whose liberty is proclaimed under the title of emancipados. But if they turn out to be guilty they will be punished; if there are no indications that they are so, they will be put at liberty immediately, but this has to be after due process of law; and if the sentence is deferred, it is owing to the inevitable circumstance of the process having to be drawn up away from the seat of the Tribunal, and because there may be proceedings to be gone through which would influence the sentence which is to be pronounced.

"In the sense expressed, your Excellency may agree to answer the last communication of the Consul, or in such other manner as may be considered more convenient.

"Havana, March 11, 1864.

(Signed) "ALCALDE."

"In conformity with the Fiscal, and by certified copy reply to his Excellency the Captain-General by the corresponding medium.

"Havana, March 12, 1864.

"Three signatures.
(Signed) "BUSTO.
"VILLAESCUSA.
"JOSE SOROA."

"To the Illustrious Regent.

"And in compliance with what is ordered I issue the present.

"Havana, March 12, 1864.

(Signed) "JOSE SOROA."

Inclosure 10 in No. 29.

Her Majesty's Commissary Judge to the Captain-General of Cuba.

Havana, March 16, 1864.

I HAVE the honour of acknowledging to your Excellency the receipt of the Secretary's letter of yesterday's date, transmitting to me a copy of the Fiscal's Report to the Royal Audiencia upon my letter to your Excellency of the 5th instant, respecting eleven of the negroes who are comprised in the cause which is pending in the Second Court of that august Tribunal, to determine as to the capture of a great number of Bozals which took place in November last.

The Fiscal has taken great pains, and has argued at some length, to prove what I have no wish or intention of denying: "That the only competent tribunal for questions arising out of the illegal and criminal introduction of slaves into Cuba, contrary to the provisions of the existing Treaty for suppression of the Traffic, is the Royal Audiencia, which is presided by his Excellency the Regent."

That matter is clearly stated in the Penal Law of Spain, which was published here on the 22nd of April, 1845.

But when amongst the captured negroes, as is the case in the present instance of the expedition of Colon, there are some who, I have good reason to believe, are freemen, that have been abducted from their homes in British Africa, and have been brought here to Cuba to be sold into slavery, I must request your Excellency to have those men separated from the rest, who are subject to the Royal Audiencia, and that you will of your high authority, as Judge of "Estrangeros," appoint a Magistrate to take their declarations, with a view to elicit the truth, as to their condition and the reason of their being amongst the others of the Colon expedition, their abduction from Africa, and their introduction into this island.

Five of these men, on whose behalf I find it my duty to appeal to your Excellency, are identified by the numbers which I have sent, and one besides, whom the Oidor Don Ramon Navarro states he saw at the depôt, and who spoke the English and Spanish languages. I wish to have examined by the judicial authority I have requested your Excellency to appoint for that purpose, who should be provided with competent interpreters of the English and Congo languages; and with your Excellency's permission I shall be present, or will delegate some officer of this Consulate to assist the Judge in eliciting the truth of this matter, which proceeding will have all legality of form; whereas, were I to accept the proposal of the Fiscal to take the declaration of the negroes myself at the depôt (for which purpose access would be allowed me), I need hardly observe to your Excellency that such proceeding would be useless and informal.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 30.

Her Majesty's Commissary Judge to Earl Russell.—(Received May 28.)

My Lord,

Havana, April 28, 1864.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch dated the 1st instant, which has reference to mine of the 19th February, upon the subject of the Bozals introduced into this island in November last, brought by the steamer "*Cicéron*," amongst whom were twelve who spoke English, and who, according to the information I had received, appeared to be of those known as kroomen at the coast of Africa, and as such entitled to British protection.

I now beg leave to state that your Lordship will have seen, by the correspondence which I did myself the honour of transmitting with my despatch of the 2nd instant, that I have not allowed the matter to rest; and I have again addressed his Excellency the Captain-General in the terms of the instruction which I have just received from your Lordship with regard to these men, respecting whom, since the 2nd instant, I have not received any communication from General Dulce, nor have I been able to learn that any sentence has been pronounced in the cause by the Royal Audiencia, but I do know that his Excellency the Captain-General is very anxious that the capture may be confirmed, and that he is exceedingly annoyed at the delay which has taken place in the trial.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 31.

Her Majesty's Commissary Judge to Earl Russell.—(Received May 28.)

My Lord,

Havana, April 29, 1864.

WITH reference to my despatch of yesterday's date, I have now the honour of laying before your Lordship a copy of the further correspondence I have had with the Captain-General relative to the negroes of the Colon expedition who speak the English language, and who have been reported to me to be kroomen entitled to British protection. Your Lordship will perceive that General Dulce having, as he states, reported the matter to his Government, and the Royal Audiencia considering all these men as belonging to the cause pending in that Tribunal; his Excellency cannot accede to either proposal that has been made to him by your Lordship's direction.

Colonel Arguelles, who was, the Lieutenant-Governor of the district of Colon, and who captured that expedition, has absconded to the United States, accused of having (between the time of the capture and delivery of these Bozals) sold

upwards of 100 of their number; and I have heard that his declaration is wanting on the proceedings before the Tribunal, which may seriously affect the result of the trial.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 31.

Her Majesty's Commissary Judge to the Captain-General of Cuba.

Havana, April 27, 1864.

HAVING laid before Her Majesty's Government the correspondence which I have had with your Excellency relative to certain of the negroes of the captured expedition of Bozals, known as that of Colon, who speak English and are supposed to be kroomen, Earl Russell, Her Majesty's Principal Secretary of State for Foreign Affairs, has been pleased to approve of my having claimed said negroes, and to instruct me that, should they be found to be entitled to British protection, I am to request that they may be given up to me; or, in the event that your Excellency has no power to do this, that the negroes in question may be placed apart, to wait the result of communications which will be addressed by Her Majesty's Government to the Government at Madrid on this subject. In obedience to that instruction, I request that said negroes may be separated and kept apart from the Bozals, rest of the expedition, unless your Excellency determines at once to order them to be delivered to me.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 31.

The Secretary to the Captain-General of Cuba to Her Majesty's Commissary Judge.

(Translation.)

Havana, April 28, 1864.

BY order of his Excellency the Captain-General I have the honour of acknowledging the receipt of your communication of yesterday's date, acquainting his Excellency that you had transmitted to your Government the correspondence relative to the negroes you claim of the Bozals detained at Colon.

That your Government had approved of said claim, and instructed your Honour that if they are found to be entitled to British protection, they should be delivered up to you; and, in case that his Excellency has not the power necessary for that purpose, that these negroes should be placed apart to await the result of the communications which your Government will address to ours, unless his Excellency resolves to deliver them at once.

In answer, his Excellency desires me to say to you, as I have the pleasure of doing, that he has already stated that, as these negroes are subject to the cause which, with regard to the capture of the expedition referred to, of which they are a part, is being carried on in the Royal Audiencia; for which his Excellency has submitted the matter to Her Catholic Majesty's Government, transmitting copies of the correspondence which has passed between that supreme Tribunal and your Honour through the medium of your Excellency, which decision he hopes soon to receive. For that reason it is to be understood that he cannot, on this occasion, accede to the wishes expressed by your Honour.

God preserve, &c.

(Signed) JOSE VALLS Y PUIG.

No. 32.

Her Majesty's Commissary Judge to Earl Russell.—(Received May 28.)

My Lord,

Havana, April 29, 1864.

I HAVE the honour of transmitting to your Lordship a copy of a letter which I addressed to the Captain-General, with the view to ascertain the exact locality of the capture made on the 6th of February by Her Catholic Majesty's steamer "Neptuno." By his Excellency's answer it appears that the capture was made in latitude 22° 25' north, and longitude 72° 18' 30" west from Cadiz. That the slaver showed French colours, and the master gave as the name of the brigantine the "Pondichery," but that on taking possession they said they had no papers or colours, and would tell nothing about the place they came from.

I learn, however, from other sources, that the brigantine had the appearance of a vessel built on the Mediterranean Coast of Spain; that she seemed to have fitted out at a French port in that sea, and that the Bozals were Congos. For the rest, I believe that all vessels captured by the Spanish cruisers without papers are to be reported as being commanded and manned by Portuguese.

For a long while none of the vessels captured with slaves on board have had any national papers or colours. Then what objection can there be on the part of Spain or of any other nation, that the persons taken on board such vessel should be dealt with and punished as pirates, whatever their nationality may be.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 32.

*Her Majesty's Commissary Judge to the Captain-General of Cuba.**Havana, April 26, 1864.*

HER Majesty's Government, to whom I transmitted your Excellency's communication of the 14th of February, respecting the capture by Her Catholic Majesty's steamer "Neptuno," of a vessel with 659 Bozals on board, have received that intelligence with great satisfaction, as a new proof of the efforts of your Excellency to put an end to the detestable Traffic in Slaves; and I am directed by Her Majesty's Principal Secretary of State for Foreign Affairs to ascertain and report to Her Majesty's Government the exact latitude and longitude in which the capture of the slaver above referred to was effected by Her Catholic Majesty's steamer "Neptuno," and also whether there is any reason for supposing that said slaver may have been French, or that she had been fitted out and was sailing under French colours when at the coast of Africa. I therefore request that your Excellency will be pleased to inform me the exact place where the capture of the slaver was effected by the "Neptuno," and whether there is any reason for supposing that said slaver was French, or had been fitted out and sailed under French colours.

Your, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 32.

The Captain-General of Cuba to Her Majesty's Commissary Judge.

(Translation.)

Havana, April 27, 1864.

IN answer to the very satisfactory letter which your Honour was pleased to write to me, of yesterday's date, referring to the capture of Bozals effected on the 6th of February last by Her Catholic Majesty's steamer of war "Neptuno," which gives rise to your asking me, by order of the Government you so worthily represent, the exact place at which the capture took place, I have the honour of stating to you that according to the Government process, of which the original exists in this Department as drawn up by Commandant of said steamer the "Neptuno," the prize was made north of the Cayos San Filipe about twelve miles, in latitude 22° 45', longitude west 72° 18' 30", nearly. A suspicious vessel was seen in the waters of Boca de las Carritas, near Matirnillos, and as she looked so, according to the information which the "Commandante" (Commander) of the "Neptuno" had from his superiors, he set about overhauling her. As he was nearing her, he perceived that she was a brigantine under the topsails, top-gallant sails and jib, and she showed her colours. Our steamer answered the brigantine with French colours, and as the "Neptuno" passed her stern, they asked, where she was bound to; to which they answered, "to Havana." But desirous of putting the matter out of doubt the Commander sent his Second on board the brigantine to ask for her papers, upon which they hauled down the French colours, and said that they had none, immediately giving themselves up as captured, bringing negroes (Bozals). The vessel, they said, was called the "*Pondichery*." Her crew consisted of a master, a mate, a passenger, and fourteen men, Portuguese; and no other information could be obtained, she having brought no papers as already stated. A copy of this summary was sent to the Royal Audiencia, which appointed Don Anselmo Villaescusa to draw up the proceedings in the cause.

This is all I am able to tell your Honour.
God preserve, &c.

(Signed) DOMINGO DULCE.

No. 33.

Her Majesty's Commissary Judge to Earl Russell.—(Received June 9.)

My Lord,

Havana, May 13, 1864.

I HAVE the honour of reporting to your Lordship that, according to an official communication which has been addressed to the Captain-General by the Royal Audiencia, and by his Excellency sent to the Mixed Court, the Royal Audiencia has declared the incompetency of that Tribunal to try the case of the slaver* captured on the 6th of February by Her Catholic Majesty's steam-vessel "Neptuno," which it has been determined corresponds to the jurisdiction of the Tribunal established under the Treaty of 1835 for suppression of the Slave Trade.

The proceedings in the case which have occupied the Royal Audiencia since the slaver was libelled, now about three months, will probably be passed to the Mixed Court in a day or two, when its competency will also have to be determined, the vessel having been found without papers, and, I understand, the persons on board all declared themselves to be Portuguese. Besides this, the master and another, who passed as a passenger, have escaped from the castle of the Cabanas, which complicates matters still more; as it might have resulted, could we have had these prisoners in Court, that their Portuguese origin was only assumed to serve their purposes of defence.

I have, &c.
(Signed) JOS. T. CRAWFORD.

* Known as the "*Pondichery*."

No. 34.

Her Majesty's Commissary Judge to Earl Russell.—(Received July 29.)

My Lord,

Havana, June 30, 1864.

HER Catholic Majesty's steam-vessel the "Neptuno," Lieutenant-Commander Churruca, captured on the 6th February last, in latitude 22° 45' 30" north, longitude 72° 18' 30" west, from Cadiz, a brigantine, which showed French colours, but, when taken possession of, was found to be without colours or papers to prove her nationality, having on board 659 Bozal negroes of the Congo nation, who, with the prize vessel, were brought to this place, and were placed by the captors at the disposition of the Captain-General, by whom the captured vessel and the negroes, as well as the master and other persons who were on board, were passed to the Royal Audiencia for adjudication; his Excellency omitting to give notice to, or cognizance of the cause to, the Mixed Court of Justice established here under the Treaty with Spain for the adjudication of cases coming within the provisions of that Treaty, for suppression of the Slave Trade.

The captured negroes, having been dealt with by his Excellency as emancipados, and consigned to various patrons, the master and others were sent to the Castle of Cabaña, but were not, as I understand, kept in close confinement.

On the 9th of May General Dulce addressed a communication to the Spanish Judge of the Mixed Court, copy of which and its translation, marked No. 1, I have the honour of bringing under your Lordship's notice.

This communication begins by transcribing what "the Captain-General" addressed to "the Captain-General" as "Gobernador Superior Civil," as it appears to be General Dulce's idea that it is to his Excellency in the latter capacity that he is to have cognizance of matters connected with the Slave Trade; and then "the Gobernador Superior Civil" proceeds to transfer the cause of the captured slaver and her cargo to the Mixed Court, as directed by the Royal Audiencia, that Tribunal having, after three months' detention, pronounced its incompetency.

The peculiar terms in which this communication is conceived, and the opinion the Superior Civil Governor expresses therein as to the decision come to by the Royal Audiencia, as well as his uncalled-for estimate of the result to be arrived at by the Mixed Court, will not escape your Lordship's observation.

The document No. 2 is the copy (signed by the Government Secretary, Don José Valls y Puig) of the sentence of inhibition pronounced by the Royal Audiencia, certified by the notary of that Court, dated the 26th of April last.

The Spanish Judge, upon the receipt of the Superior Civil Governor's communication, called a Court, which was held on the 11th of May, when the answer marked No. 3 was drawn up and transmitted to his Excellency, in accordance with the minute of same date, signed in Court, marked No. 4 of these proceedings; of date the 24th of May. The cause, as denominated, of the "*Pondicherry*" was sent by his Excellency to the Mixed Court, accompanied by an official communication and inclosure; and on the 2nd of June, the Court having deliberated thereon, pronounced its opinion in the terms as marked No. 5, declaring its incompetency, and returning the proceedings to the Superior Civil Governor for his Excellency's further action thereon.

Your Lordship will not fail to observe that the Mixed Court, when cognizance was given to it of this cause, had been deprived of all means of taking evidence, by the escape of all the principal parties from the fortress of Cabaña, which had previously taken place, and it will probably seem extraordinary how these prisoners were so insecurely held in custody, so easily made their escape, and have not been retaken since! as well as how conveniently they were out of the way when the cause was remitted to the Mixed Court! But it is to his Excellency the Captain-General, Superior Civil Governor's official letter, dated the 24th ultimo, and its inclosure, to the Judges of the Mixed Court that I would very especially desire to draw your Lordship's attention (Nos. 6 and 7 of these proceedings.)

General Dulce reiterates in his letter what he adventured in his previous communication to the Spanish Judge, and needlessly inculcates to the Court their restricting themselves to their attributions under the Treaty; but he incloses (No. 7) an official communication, or Royal order of the Spanish Government, dated the 27th of October, 1848, addressed by the Marquis de Pidal to the Captain-General of Cuba, of the existence of which the Mixed Court was, until the receipt of General Dulce's letter, entirely ignorant; and I venture to express my opinion that

said Royal order was not intended for the purpose to which it has been applied by his Excellency, but was meant as an instruction to the Captain-General, and can by no means alter or affect the letter or working of the existing Treaty, which it is its object to explain as it is interpreted at Madrid; and the object of General Dulce in referring to that instruction of his Government is, to deny to the Mixed Court the right of cognisance in the first instance of all cases of capture at sea by Spanish or British cruisers of vessels having slaves on board, or equipments for slave-trading.

It would be, perhaps, taking a great deal upon me to say that, if the case of the "*Pondicherry*" had come at once to the Mixed Court, that Court's jurisdiction might have been established. It is very possible that some one of the four escaped prisoners—the master, the mate, the supercargo, or the passenger—were Spaniards. The Royal Audiencia found them all Portuguese, and, although quite improbable, admitted their declarations, to the effect that they were persons who had no connections in this island whatever, but were coming here to sell their cargo of slaves as they best could.

No doubt the captures made by the other Spanish cruisers were all Portuguese, or of some other nation, since his Excellency General Dulce informs the Judges of the Mixed Court, in his letter to which I am soliciting your Lordship's attention, "that during the last twenty-nine years the traffic has not been carried on under the Spanish flag!"

In replying to his Excellency's letter and inclosure just referred to, the Court have noticed his observations, and have combatted his opinion, insisting upon their right to determine first of all, and in preference to any other tribunal, such cases as that of the "*Pondicherry*" and other captures by Spanish or British cruisers of slavers without papers or of doubtful nationality; referring to the agitation of that question and the insisting upon that privilege and attribution of the Mixed Court addressed to the Superior Government of the island in November 1858, the Mixed Court having no superior here, as was determined by Royal Order of 29th August, 1838; and citing to his Excellency some of the instances of this nature which have been determined in strict consonance with the letter of the existing Treaty.

I look upon the limitation of the attributions of the Mixed Court, sanctioned and practised by the present Captain-General in sending all the cases of captures of slavers which have taken place by the Spanish cruisers to the Royal Audiencia, instead of to the Mixed Court, as an innovation derogatory to the dignity of that tribunal and its establishment under the Treaty, which, if it is permitted, will defeat the objects of the Treaty, and facilitate slave-trading with impunity. Such also is the opinion of my Spanish colleague.

We have stated, in our answer to General Dulce, that the Royal Order of October 1848, communicated in his Excellency's letter, is the first knowledge which the Court had of that disposition, as it had never been referred to by any of the other Captains-General, Superior Civil Governors.

But your Lordship will easily perceive, in the tone of General Dulce's communications, and in that of the Marquis de Pidal's despatch, an uneasiness and unpleasantness quite characteristic of the Spaniard's feeling, because of the existence of a solemn Treaty the stipulations of which it is their constant study to evade.

The rest of the voluminous inclosures which I have the honour of transmitting to your Lordship along with this despatch is composed of extracts from the evidence taken by the Royal Audiencia in the case of the "*Pondicherry*," upon which the Mixed Court had no means of re-examining the parties who had made their escape from custody previous to the transmission of the proceedings by his Excellency the Captain-General, Gobernador Superior Civil.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 34.

The Captain-General of Cuba to the Spanish Judge of the Mixed Court of Justice.

(Translation.)

Havana, May 9, 1864.

HIS Excellency the Captain-General, under date of the 2nd instant, says to me as follows:—

"Most Excellent Sir,—I have this day written to the Regente of the Royal Audiencia as follows:

"I have received with your Honour's letter of the 26th ultimo a certificate of the Resolution adopted by the Second Hall of Justice in the cause of the capture of a slave-vessel at the cays of Santa Maria and Bahama

Bank, which I have read over, and although the said Resolution is communicated to me, as is stated in it, in order that the negroes found on board of said vessel may be placed at the disposal of the Mixed Court, as the affair does not concern this Captain-Generalship, I have deemed it necessary to transmit said certificate, as I now do, to his Excellency the Superior Civil Governor for him to deal with it.

"I say this to your Honour, for your information, and in reply, hoping that in order to prevent difficulties and delays prejudice to the service, you will be pleased to give orders that the Audiencia shall in future correspond directly with the proper parties when treating of matters which, like that referred to, do not belong to this Captain-Generalship, which, together with the said certificate, I transmit to your Excellency for what may be deemed necessary."

Which I transcribe to your Honour, with the accompanying copy of the certificate his Excellency refers to, in view of what the Regente of the Royal Audiencia states, although I cannot comprehend the motives which led the Second Hall of Justice to determine their inhibition from proceeding further in the cause of the "*Pondicherry*," for she is a vessel without a flag or papers, having a cargo of negroes on board, which made her appearance in the waters of this island, rendered herself suspicious by her movements, of her ostensible intention to land and fraudulently introduce her cargo into it, and which pursued by a cruiser of Her Majesty, was overtaken and seized, although in neutral waters; that she is neither Spanish nor British, which vessels are alone comprehended in the Treaty of 1835 between both countries, and which gave rise to the Penal Law of 2nd March, 1845.

Nevertheless, your Honour, in laying the matter before the Mixed Court, can scrupulously examine whether the present case comes within its jurisdiction or not.

God preserve, &c.

(Signed) DOMINGO DULCE.

Inclosure 2 in No. 34.

Certificate.

(Translation.)

I CERTIFY that in the cause of the capture of a slave-ship at the cays of Santa Maria, Bahama Bank, the Royal Second Hall of Justice has been pleased to determine as follows:—

"Decree:

"In conformity with the representation of the Attorney-General this Royal Hall inhibits itself from proceeding further in the present cause, in favour of the Mixed Court of Justice, to which it will be transmitted with all the antecedents, placing at its disposal the brig '*Pondicherry*,' the negroes found on board, and the crew now in custody in the city prison, requesting said Court to report its decision to this High Tribunal; and let the Captain-General be informed of this determination in order that the said negroes may be placed, as stated above, at the disposal of the said Mixed Court.

"Decreed and signed by the parties in the margin. Havana, 19th April, 1864.

"There are four signatures, President, C. Manuel; Judges Busto, Villaescusa; Acting Judge, R. Gavilan."
(Signed) JOSE SOROA.

And for the purposes required I grant these presents.

Havana, April 26, 1864.

(Signed) JOSE SOROA.

Inclosure 3 in No. 34.

The Mixed Court to the Captain-General of Cuba.

Most Excellent Sir,

Havana, May 11, 1864.

THIS Court has received your Excellency's communication of the 9th instant, transmitting a copy of the certificate of the Clerk of the Royal Audiencia Pretorial communicated to your Excellency by the Regente, by which it appears that the Second Hall of said Tribunal has renounced further cognizance of the cause relating to the capture of a slave-vessel at the cays of Santa Maria, Bahama Bank, in favour of this Mixed Court of Justice, transmitting to it all the antecedents, and placing at its disposal the captured brig "*Pondicherry*," the negroes found on board, and the crew who are in custody at the prison of this city.

Taking into consideration the stipulations contained in the 1st Article of Annex A, and in the IIIrd of Annex B of the existing Treaty of 1835, confirmed also by the Royal Order of the 19th August, 1838, this Court cannot but accept the cognizance of said cause, which it considers it should have done from the first, for the "*Pondicherry*" having been captured by a ship of the Royal Spanish navy, with a cargo of negroes, this fact of complete infraction of the Treaty brings it exclusively under the jurisdiction of the Mixed Court, which will then consider whether it should proceed with the case or not. Your Excellency can, therefore, transmit to this Court, as soon as the Regente had done so, all the proceedings instituted by the Second Hall of the Royal Audiencia, as has been decreed by that Tribunal in declining to proceed further with the case.

God preserve, &c.

(Signed)

JOSE MANUEL ESPELIUS.
JOS. T. CRAWFORD.

Inclosure 4 in No. 34.

Minute of the Mixed Court.

AT Havana, on the 2nd of June, 1864, the Spanish Judge, Don José Manuel Espelius, and the British Judge, Joseph Tucker Crawford, Esq., having examined the proceedings instituted by the Judge in Commission, Magistrate of the Royal Audiencia Pretorial, Don Anselmo de Villaescusa, with reference to the capture of the brig "*Pondicherry*," with a cargo of negroes, at the Cays of Santa Maria and Bahama Bank, on the 6th of February last, by Her Catholic Majesty's steamer "*Neptuno*," and which process was transmitted to this Court by the Captain-General, Superior Civil Governor, on the 24th ultimo, in consequence of the Decree of the Second Hall of Justice of said Royal Audiencia, dated the 19th of April last. Having examined the declaration of the Commander of Her Catholic Majesty's steamer "*Neptuno*," Don Alejandro Churruca, at folio 19, by which it appears that the

captured brig "*Pondicherry*" had no papers or documents of any kind to prove her true nationality, having only made use of the French flag; having also examined the declarations of the master, and crew, and passengers of the brig "*Pondicherry*" from folios 21 to 30, 42 to 56, and at folio 66, by which it appears that the said master is a Frenchman, domiciled at Lisbon, and the crew and passengers are Portuguese, the master confessing himself to be the owner of the cargo of negroes, in number 658, which he took from the coast of Africa, to land and sell them in this island as best he could: Considering that with regard to the truth of these assertions no further investigation can be made, because, as stated at folios 75 and 85, the said master, the mate, the boatswain, and the passenger, who were the principals in the cause, have escaped from the fortress of La Cabaña, where they were under arrest; and considering that from the rest of the proceedings it does not appear that any Spanish or British subject is interested in the vessel and her cargo, in which event only, according to the existing Treaty of 1835, this Court would be competent to decide the case,—the Judges were of opinion that they should not proceed with the cause before them, and ordered it therefore to be returned in the usual form of courtesy to his Excellency the Captain-General, Superior Civil Governor, together with the documents which had accompanied it, and with a certified copy of this resolution, in order that his Excellency might act as he thought fit, placing also at his disposal the brig "*Pondicherry*," which is at the Royal Arsenal, the negroes found on board, and the crew in confinement in the prison of this city, which were at the orders of this Court.

Thus ordered, ruled, and signed by their Honours, which I, the Secretary, certify.

(Signed)

JOSE MANUEL ESPELIUS.

JOS. T. CRAWFORD.

L. CRISTOVAL VALDES Y BAVENT.

Inclosure 5 in No. 34.

Minute of the Mixed Court.

FROM these extracts of the case it appears:—

1st. That the "*Pondicherry*," captured by a steamer of the Spanish Royal Navy, the "*Neptuno*," had no papers or other documents to prove her nationality.

2nd. That she sailed from the coast of Africa with a cargo of negroes for the master's account, and that the master had no connection with any person in this island. Any further investigation upon the subject is rendered impossible by the escape of the master, the passenger, the mate, and the boatswain of the vessel.

3rd. That the master was a Frenchman, and the rest of the crew, including the passenger, were Portuguese.

Inclosure 6 in No. 34.

The Captain-General of Cuba to the Mixed Court.

(Translation.)

Havana, May 24, 1864.

IN view of what your Honours state to me in your despatch of the 11th instant, in answer to mine of the 9th, I have to inform you that I addressed myself to your Honours under the supposition that the Regente of the Royal Audiencia had had an understanding with your Honours, without my interference—which is the proper course—transmitting to you the proceedings instituted on account of the capture of the brig "*Pondicherry*" with negroes, the Second Hall of Justice of the said Audiencia having renounced the prosecution in favour of the Mixed Court, which has actually been the case, but by mistake, as is apparent from your Honours having sent me the case *ex officio*. I have now therefore the pleasure of transmitting the case to your Honours, with the other documents which belong to it; and in doing so I cannot do less than reiterate to your Honours what I said in my letter of the 9th instant upon this subject, and the more so as the 1st Article of Annex A of the Treaty of 1835, which your Honours quote, confirms my opinion that the cognizance of the case of the capture of the "*Pondicherry*" does not in any way belong to the Mixed Court, because it has reference solely to British or Spanish merchant-vessels which may be captured by the cruisers of either country; and the 3rd Article of Annex B of that Treaty, which is also quoted by your Honours, only agrees with the other, for it is not to be presumed that it is applicable to vessels of any other nation, because neither Spain nor any other Power can stipulate for the vessels of other countries in their reciprocal Treaties, and therefore this being both evident and logical, I cannot consent in any way to a false interpretation of the spirit and letter of the Treaties of 1817 and 1835 between Spain and England, and so it is borne out and confirmed by the Royal Order of the 27th of October, 1848, a copy of which is inclosed herewith, which explains to this Government and Captain-Generalship the meaning of the said Treaties for the abolition of the Slave Trade; and it is so clear and conclusive that it leaves not the least doubt, for it says "that Spain only agreed with the British Government that her ships of war might search Spanish merchant-vessels navigating within certain limits, and that finding them laden with negroes from the coast of Africa, or fitted out for such traffic," &c., and "that the Spanish Government might admit and did admit of the co-operation of England to cruise against the Slave Trade which might be carried on by her subjects without her territory and on the high seas," &c. For these reasons, which admit of no discussion, your Honours will observe that the local authorities of the country whose laws are infringed, or are attempted to be infringed, are those who ought to try the causes which are given rise to by such infringements; and I repeat, therefore, that the right of Spanish jurisdiction solely and exclusively to try the cause of the seizure of the "*Pondicherry*" is unquestionable, because the vessel is neither Spanish nor British, nor does her crew belong to either country (they are Portuguese); she is, in truth, an unlawful trader without flag or papers, which was in the waters of this island, and which being chased, although from these waters she passed to the high seas, was at last caught, captured, and brought in with her cargo by one of Her Majesty's cruisers, for ostensibly attempting to land it in this island, as confessed by the master or captain in his declaration, thus violating our laws, which prohibit such a traffic.

I abstain from enumerating the captures of foreign vessels, with or without flag or papers, which British and even American cruisers have made on the coasts of this island and on the high seas in its vicinity (for the Spanish flag has, since twenty-nine years, disappeared from being employed in this traffic), which were taken by their captors to places belonging to their respective nations, and there condemned by the local authorities, without being brought for adjudication before the Mixed Court of Justice, as they were not within its competency.

In view, therefore, of all I have stated, I hope, from your Honours' lucid and upright judgment, that you will

admit that you have no right to take cognizance of the case of the "*Pondicherry*," returning the cause to me, in order that the Royal Audiencia may follow it up as it ought to do.

God preserve, &c.

(Signed)

DOMINGO DULCE.

Inclosure 7 in No. 34.

Royal Order of October 27, 1848, explaining to the Captain-General of Cuba the Meaning of the Treaties of 1817 and 1835, on the Abolition of the Slave Trade.

(Translation.)

Most Excellent Sir,

Principal Secretary of State's Office, Madrid, October 27, 1848.

I HAVE received your Excellency's despatch of the 9th of September, reporting the correspondence between your Excellency and the British Consul, relative to the capture of 130 negroes in the Bay of Cabañas; and I consider it necessary to furnish your Excellency with the following explanations on the subject:—

The Spanish Government has prohibited the Slave Trade, which was formerly carried on with the coast of Africa. This prohibition, once become a law of Spain, constitutes a legal precept with regard to which Spanish jurisdiction has alone a right to interfere; so that in the same manner that it would be a violation of the jurisdictional independence of Spain if a foreign Power took upon itself to denounce crimes declared as such by the laws of this country, even though this impertinent interference might be justified under the pretext that the crime was more or less grave, and that it was also condemned by the laws of all civilized nations, so it is that the British officers in Cuba should take upon themselves to denounce the infringements of the laws which prohibit the Slave Trade, and much more so that they should constitute themselves persecutors of the delinquents and fiscals in these matters. It is true that there is a peculiarity in these offences which is not common to all others, and which constitutes a species of joint action between Spain and England in order to prosecute them; but this circumstance does not in any way prejudice the general principles of right, nor does it wound the independence or dignity of Spain. The Spanish Government being resolved to prohibit in its dominions the Slave Trade, which was legally carried on with the coast of Africa, as the most efficacious means of enforcing that prohibition was the establishment of cruisers to pursue the illegal traders, agreed with the British Government that its ships of war might search Spanish merchant-vessels navigating within certain limits, and that finding them laden with negroes from the Coast of Africa, or fitted for this trade, they might capture and take them to some Spanish or British colony. But as this capture might be effected indiscriminately by Spanish or British cruisers, and as the prize might belong to one or other country, it was necessary to establish a Mixed Court composed of Judges named by both Governments in order to adjudicate such cases. This is the origin and the object of the Mixed Courts, and all that which is not purely the adjudication of the captures of slave-vessels made by the ships of war of the two countries is an abuse, for it is not within the spirit or the letter of the Treaties of 1817 and 1835, which are strictly limited to allow the right of search, the form in which such search is to be made, and the manner in which prizes are to be adjudicated.

Based upon these unquestionable principles the Spanish Government held in 1845 a stubborn altercation with the British Cabinet in order to put an end to the abusive practice introduced during the troubles of the civil war, of the British Judges converting themselves into a negro Police Court, and into accusers and examiners of every circumstance which at their pleasure they qualified as an infraction of the Treaties.

The British Government, acknowledging the right of Spain, ordered its Judges of the Mixed Court of Havana to abstain in future from making denouncements, and from meddling with any question which did not peculiarly concern the Court; and the Spanish Government, desirous of giving a proof of the good faith with which it was animated in this matter, consented to the British Consul's apprizing the chief authority of Cuba of any circumstance contrary to the Treaty which he might know of. These agreements, of which your Excellency is aware, as they have been communicated to the superior Political Government of Cuba in your time, corroborate and confirm the opinion of Her Majesty's Government that by the Treaties of 1817 and 1835, Spain did not impose upon itself any duty which impaired its independence, or altered the position of the British officers; that is to say, that the Judges of the Mixed Court did not acquire any other attribution than that of adjudicating the cases of vessels captured at sea, nor did the British Consul obtain any special rights which were not enjoyed by others of his class.

In spite of this Her Majesty's Government finds established in Cuba some agents whose appellative and functions are not recognized by the Treaties, for the British Commissioners, accusers and censurers of the Spanish authorities, through the medium of their Consul, are neither according to the letter nor the spirit of the stipulations which exist between Spain and England.

Spain can only recognize a Mixed Court for the purpose of adjudicating the cases of capture, and its Judges out of Court have no significance (are nobodies) whether they are English or Spanish. The Spanish Government might admit and did admit of the co-operation of England in putting down the Slave Trade which might be carried on by their subjects forth of its territory, and on the high seas, but it never was, nor could it be its intention to admit of this intervention within its own dominions where the action of its authorities was sufficient to repress that or any other crime.

Finally, the British Consul, to whom was simply conceded by the Agreement of 1845 the right of reporting to the Captain-General any circumstance contrary to the Treaties, cannot legally hold discussions with the chief authority of Cuba, and still less indicate to him the turn which he should give to judicial processes.

Her Majesty's Government most particularly directs your Excellency, therefore, not to permit foreign functionaries to commit these abuses, endeavouring to make them understand their true position in accordance with the principles laid down in this despatch. I say this to your Excellency by Royal order for your information and government.

God preserve, &c.

(Signed)

PEDRO JOSE PIDAL.

Inclosure 8 in No. 34.

The Mixed Court to the Captain-General of Cuba.

Most Excellent Sir,

Havana, June 4, 1864.

WE have the honour to transmit to your Excellency, for the purposes you may determine, the proceedings instituted by the Judge in Commission, Magistrate of the Audiencia, Don Anselmo de Villaescusa, relative to the capture of the brig "*Pondicherry*," with a cargo of negroes, by the Spanish steamer of war "*Neptuno*," and the

cognizance of which the Second Hall of Justice of said Royal Audiencia renounced in favour of this Court, returning to your Excellency at the same time the plan and other documents which accompanied your Excellency's despatch of the 24th ultimo, this Court having likewise declined proceeding with the cause, for the reasons stated in its final Decree of the 2nd instant, a certified copy of which we inclose herewith.

We consider it our duty, and in answer to what your Excellency was pleased to state in your said despatch, respectfully to remark that this Court does not ignore that according to the letter and spirit of the Articles of the existing Treaty it has no right whatever to take cognizance of any other captures than those which may be effected at sea by the ships of the Royal navies of Spain or Great Britain of the merchant-vessels of the said countries which may be occupied in the Slave Trade, or fitted out for it, and for this reason it has repeatedly declined to proceed with cases (as it now does with regard to the proceedings which have arisen in consequence of the capture of the "*Pondicherry*") of the capture of vessels which afterwards turned out to be neither Spanish nor British, but belonging to other countries, or whose nationality could not be positively ascertained. But we have always considered that these initiatory proceedings, which are those which ought to determine said nationality, should be solely and exclusively instituted by the Mixed Court, upon which point the Court has raised a question with the Government of this island ever since the month of November 1858, inasmuch as this Court having no superior in the island, according to the Royal Order of the 29th August, 1838, a copy of which we have the honour to inclose to your Excellency, which could judge of its competency or incompetency in causes of this nature, it appears that it belongs solely to the Mixed Court to determine said nationality in view of the proceedings which it may institute.

And the Court has done so in many cases, giving them up, amongst which we will cite two to your Excellency, on account of their analogy to the case of the "*Pondicherry*."

On the 7th of March, 1842, his Excellency the Captain-General, Superior Civil Governor, in conformity with the opinion of his first Solicitor-General, placed at the orders of this Court for adjudication the schooner "*Aurelia Felix*," with her cargo of negroes, and the verbal process of her capture, by the Spanish brig of war "*Cubano*." The said verbal process, together with some papers which were found on board of the captured vessel (whose crew escaped) showed her to be Portuguese, or belonging to Portuguese subjects, for which reason the Mixed Court delivered its final sentence on the 12th of that month, declaring that it had abstained from carrying on the proceedings, as the case did not belong to that Court, and ordering it to be returned to his Excellency the Captain-General, Superior Civil Governor, for such purposes as he might determine.

And in 1855, the Commander of Her Britannic Majesty's brig "*Espiegle*" brought before the Mixed Court the brig "*Grey Eagle*," of Philadelphia, captured without crew, papers, or negroes, but with the evident signs of having landed a cargo of slaves. And as in spite of the various proceedings which were instituted by order of the Court, the nationality of the vessel could not be positively ascertained, the Mixed Court declared its incompetency to adjudicate the case, and therefore placed it in the hands of his Excellency the Captain-General, Superior Civil Governor, for such purposes as he might determine.

The copy of the Royal Order of the 27th October, 1848, which your Excellency has been pleased to transmit to us, is the first notice of it which the Court has received, as it is not in the archives nor among the dispositions of the kind transmitted directly to the Court by the Supreme Government, nor among those which have been sent to it by other Captains-General.

Finally, we beg leave to assure your Excellency with the utmost sincerity that it has never been our intention in dealing with this subject to make interpretations which could alter the letter or the spirit of the Treaty, or to assume powers which do not belong to the Court, but, on the contrary, our observations have been made with the sole object of showing that on the part of the Mixed Court there cannot be any species of omission in carrying out the stipulations of said Treaty.

God preserve, &c.

(Signed)

JOSE MANUEL ESPELIUS.
JOS. T. CRAWFORD.

Inclosure 9 in No. 34.

Extracts or Minutes of the Evidence in the cause of the "Pondicherry," before the Royal Audiencia.

Folio 15.—Survey of the "*Pondicherry*" by two carpenters of the Royal dockyard, reporting her to be a brig full rigged; length, 127 feet; breadth, 31 feet; depth of hold, 16 feet; tonnage, 368 tons.

Folio 16.—Statement that there were at the depôt of emancipados the negroes captured in the "*Pondicherry*," viz., 658, of which 278 are women, 7 being sick, and 1 having died that day the 14th February, 1864.

Folio 17.—Declaration of the negro José Congo, about 33 years old, states that he was taken in Africa by a factor called Don José Joaquín Botelho. That the cargo consisted of 667 negroes when they sailed, 12 adults and 2 children having died on the passage. That he did not hear the captain say when they were to be landed.

Folio 17.—Declaration of the negro Simeon, called Manuele in his own country, about 34 years of age, corroborates that of José Congo.

Folio 18.—Several other negroes examined, but nothing more could be obtained from them.

Folio 19.—Declaration of Don Alejandro Churruca, Commander of the steamer "*Neptuno*," states that on the 6th instant, at 3:45 p.m., being in Cuban waters, and having received information the day previous from the Naval Commandant at Nuevitas, he gave chase to a square-rigged vessel, which he made out at 6 p.m. to be a brig, which hoisted the French flag. That considering her suspicious he sent the Ensign Don Pedro de la Puente on board, which officer informed him that the master of the vessel upon being asked for his papers, had answered him that he had none, and that he was his prisoner as he had a slave-cargo. That he ordered all the crew of the prize on board the "*Neptuno*," with the exception of two men who were left to attend to the negroes, placing them under the surveillance of his own crew. That there were 659 negroes on board the prize. That he then brought her to this port, reporting himself on arrival to the Admiral, who ordered him to present himself to the Captain-General. That he did so, and that his Excellency ordered him to deliver up the negroes and the crew, which was done as per the receipts which he held and exhibited. That the name of the vessel was the "*Pondicherry*," a name agreeing with the flag, which, as he before stated, was French, which name although given to her does not prove her nationality, inasmuch as she had no papers of any kind.

Folio 21.—Declaration of Don Francisco Antonio Selpivin, states that he was a native of Paris and citizen of Lisbon. That the "*Neptuno*" captured him on the 6th instant at 5:30 p.m., about twenty miles from the coast of Cuba, near the Bahama Bank, on suspicion of having contraband goods on board, and for want of papers. That he had for cargo 658 Bozal negroes from the coast of Africa, and that he had brought them on his own

account with the intention of selling them in Cuba, but without having made arrangements with any one for their disembarkation. That he came entirely on speculation, without other intention than that of landing the cargo where best he could. That he is aware that the laws of Spain condemn the Slave Trade; but that it being customary for the British cruisers to set the crews of vessels employed in this Traffic at liberty when captured, he thought that the only evil that might happen to him would be the loss of ship and cargo. That the vessel belonged to a Company established on the coast of Africa. That the vessel had no name, as she had no official documents. That deponent, who commanded her, gave her the name of "*Pondicherry*." That she had no flag, for which reason he used that of any country according to circumstances, and that he has not been captured before.

Folio 22.—Declaration of Don Pedro Augusto, states that he belongs to Oporto, and that he was mate of the vessel. That the "*Neptuno*" captured them on the 6th instant, at the same time and place as stated by the master. That they had on board 658 negroes from the coast of Africa. That he does not know to whom they were consigned, believing that the master brought them for his own account, respecting which he can furnish no particulars, because as mate he was not in the secrets of the business, and that he was occupied only in fulfilling his duty as mate. That he happened to be on the Coast of Africa waiting employment, when the place was offered to him. That he accepted it, but without taking any share in the cargo, and only for the wages offered, and which he has not received in consequence of the capture. That the vessel had neither name nor colours, being without papers, and that the captain may have perhaps called her the "*Pondicherry*." That he does not know whether the master was in league with any one on shore, but he supposes that the master's intention was to land the cargo where best he could. That they brought a passenger from the coast of Africa, a Portuguese, whom he knows by the name of Don Francisco, being ignorant whether he has any share in the cargo. And with regard to responsibility, he says the same as the master.

Folio 24.—Declaration of Don Francisco Silva, native of Lisbon. States that he was taken prisoner on board of a slave ship on the 6th instant by the "*Neptuno*," the name of the place he does not know. That he was a passenger on board of the vessel. That being ill on the coast of Africa he thought of coming to Cuba to get cured and to work; but that not having wherewith to pay his passage, and a free passage being offered him, he availed himself of the chance, making the voyage simply as a passenger. That he was not aware of the risk which he ran embarking on board of a slaver. That he does not know who were the consignees of the cargo, but supposes that it was only a matter between a company on the coast of Africa and the master, who was to land the cargo without the intervention of any person in this island. That no other vessel came near them during the voyage but the "*Neptuno*," and that he has no passport or other papers, as it is not customary to take them out in Africa.

Folio 26.—Declaration of Don Juan de Castro, native of Lisbon, boatswain of the prize, states the same as the mate, although less explicit.

Folio 27.—Declaration of Joaquin Santos, seaman, native of Lisbon. States that he was captured on the 6th instant at 6 P.M., out of sight of land, by a Spanish war steamer, for having slaves on board. That he does not know to whom the negroes belonged, because as a seaman he only knew the master who engaged him. That no vessel came near them during the passage. That he believed that he ran no other risk than that of being captured by some British cruiser, in which case he would be put on shore, and that he was not aware of the severity with which the Spanish laws punish this illegal commerce.

The rest of the crew declare the same, all of them being Portuguese, and having been engaged on the coast of Africa by the master of the "*Pondicherry*."

Folio 69.—By an order of 26th February, the crew are ordered to be taken from the Cabana to the public jail.

By letter of the 24th February, the Governor of the City reports the escape of Don Francisco Antonio Selpivin, the master, and Don Francisco Silva, the passenger of the "*Pondicherry*." And by another letter of 7th March, he reports the escape of Don Pedro Augusto, the mate, and Don Juan Castro, the boatswain of the said vessel, all from the fortress of La Cabana.

No. 35.

Her Majesty's Commissary Judge to Earl Russell.—(Received July 29.)

My Lord,

Havana, July 1, 1864.

IN obedience to the Act 5 Geo. IV, cap. 113, directing such returns to be made on the 1st day of January and on the 1st day of July in each year, I have the honour of reporting to your Lordship that there was no case brought for adjudication before the Mixed Court of Justice at this place during the last six months, with the exception of that of the "*Pondicherry*," which forms the subject of a separate despatch.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 36.

Her Majesty's Acting Commissary Judge to Earl Russell.—(Received August 29.)

My Lord,

Havana, July 29, 1864.

IT is my very painful duty to announce to your Lordship the death of Joseph Tucker Crawford, Esq. C.B. Her Majesty's Commissary Judge in the Mixed Court of Justice established at this place under the Treaty with Spain for the abolition of the Slave Trade, which sad event occurred on the night of the 27th instant.

CLASS A.

I

I shall assume the duties of the late Commissary Judge until your Lordship's pleasure is known, in accordance with the second paragraph of the ninth Article of Annex B of the existing Treaty, and I shall duly notify his Excellency the Captain-General on the subject.

I have, &c.
(Signed) JOHN V. CRAWFORD.

No. 38.

Earl Russell to Mr. Bunch.

(Extract.)

Foreign Office, October 31, 1864.

I HAVE to acquaint you that in addition to your appointment as Her Majesty's Consul-General at Havana, the Queen has been graciously pleased to approve of your holding also the appointment of Judge in the British and Spanish Mixed Commission Court, established at that place under the provisions of the Treaty of the 28th of June, 1835, between Great Britain and Spain, for the suppression of the African Slave Trade.

No. 39.

Earl Russell to Mr. Bunch.

Sir,

Foreign Office, November 16, 1864.

I HAVE to instruct you to place yourself in communication with the Consul and Vice-Consuls of the United States established in the Island of Cuba, for the purpose of exchanging any information which you may obtain with reference to the African Slave Trade, and of concerting measures calculated to be of use in frustrating the designs of the slave-dealers.

I am, &c.
(Signed) RUSSELL.

No. 40.

Her Majesty's Acting Commissary Judge to Earl Russell.—(Received November 29.)

(Extract.)

Havana, September 30, 1864.

I HAVE the honour of laying before your Lordship a statement of the number of slaves which are officially reported to have been landed in this island during the year ending this day, amounting to 5,105, of which the Spanish authorities have captured 2,980, and some doubt seems to exist as to the remainder, as the Captain-General positively denies their having been landed.

It would be rather fabulous to suppose that no African negroes have been imported into Cuba during the last twelve months, and I have no doubt whatever in my own mind that a good many cargoes have been introduced, but it is impossible to arrive at any just estimate of the numbers imported.

Much greater secrecy prevails every day in such matters, and it is extremely difficult to obtain information, as Slave Trade operations are now principally carried on by companies of wealthy individuals, the outfits being made in Barcelona, Cadiz, Bordeaux or Marseilles.

It is, however, due to General Dulce, the present Captain-General of Cuba, for me to state that his continued hostility to this abominable traffic has had great weight in diminishing it, and it is much to be regretted that his Excellency has not been supported, nor have his suggestions been acted upon by the Spanish Government, for had such been the case, I am firmly convinced that the Slave Trade would now have been effectually put an end to between this Island and the African coast.

The recent change of Ministry in Spain is expected to lead to General Dulce's removal, and already counting that such will be the case, and that his successor will be more accessible, the slave-traders have resumed their former activity, and it is rumoured that numerous adventures have been started, chiefly

from Europe, where more suitable vessels can be obtained, and where they can be fitted out more readily and with less suspicion than here.

In fact, my Lord, it seems almost folly to hope that the Slave Trade between Africa and Cuba will ever be relinquished until Spain declares that Trade piracy.

This island is so very productive; the demand for labouring hands is so great; morality is at so low an ebb; the incentives to slave-trading are so inviting; and the temptation to the needy employés of the Government, nine-tenths of whom come out here to make their fortunes as rapidly and as unscrupulously as possible, is so irresistible, that it is no wonder that there are always to be found parties who are ready to launch their iniquitous adventures to the coast of Africa, no matter what difficulties or dangers they may have to encounter.

The untiring vigilance of the British cruisers on the African coast, and in the waters which surround Cuba, renders the prosecution of such voyages most hazardous; but, provided with swifter steamers, and being sure of the concurrence of the local authorities in this island, the slave trader scorns all difficulties or dangers.

If we are to expect the speedy abolition of the Slave Trade between this island and Africa, we must look to other expedients than those which have been put in practice up to the present time.

If Spain really wishes to prove her sincere desire to put an end to the Slave Trade, let her declare it piracy, and let her enact a Penal Law such as that which is recommended by the late lamented Consul-General in his despatch of the 16th of June last.

Inclosure in No. 40.

STATEMENT of the Number of Slaves reported to have been Landed and Captured in Cuba, from October 1 1863, to September 20, 1864.

Date of Landing.	Where Landed or Captured.	Number of Slaves.		Vessels.	Remarks.
		Landed.	Captured.		
1863					
Nov. ..	Bay of Cochinos ..	1,105	1,105	Steamer "Cicéron" ..	Seized by Colonel Arguelles, in Colon district.
	Mariel.	354	354	Brig	Captured by Spanish frigate's ("Petronila") boat.
1864					
Feb. 8	Bahama Bank ..	682	682	Brig "Pondichery" ..	Congos. Captured by the Spanish gun-boat "Neptuno."
"	Cays Doce Leguas ..	365	365	Brig	Captured by Spanish gun-boat "Lezo."
April 19	Cabanas	625	..	Brig "Isabel" ..	Vessel was scuttled. Denied by the authorities.
May ..	Cays Doce Leguas ..	474	474	Vessel was burnt ..	Captured by Spanish gun-boat "Guadalquivir."
June ..	La Teja	1,500	..	Steamer	Landed at the estate Aurora. Denied by the authorities.
		5,105	2,980		
	Add one-third ..	1,702	994		
		6,807	3,974		

(Signed)

JOHN V. CRAWFORD, *Acting Commissary Judge.*

Havana, September 30, 1864.

CAPE OF GOOD HOPE.

No. 41.

Her Majesty's Commissioners to Earl Russell.—(Received February 25, 1864.)

My Lord,

Cape Town, December 21, 1863.

WE have the honour to inform your Lordship that Mr. W. L. Avery, Arbitrator in this Mixed Court of Justice on the part of the United States of America, returned to this Colony on the 17th instant.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

No. 42.

Her Majesty's Commissioners to Earl Russell.—(Received February 25.)

My Lord,

Cape Town, January 6, 1864.

WE have the honour to report to your Lordship that no case has been adjudicated by the Mixed Commission of which we are members during the half-year ending the 31st December, 1863.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

No. 43.

Her Majesty's Commissioners to Earl Russell.—(Received February 25.)

My Lord,

Cape Town, January 6, 1864.

IN pursuance of the instructions given to us in the Earl of Aberdeen's despatch of the 20th of February, 1843, by which we are directed to transmit at the close of each year a detailed Report of the judicial proceedings of this Mixed Commission, we have the honour to report that no case has been adjudicated by the Court during the year ending 31st December, 1863.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

No. 44.

Her Majesty's Commissioners to Earl Russell.—(Received February 25.)

My Lord,

Cape Town, January 6, 1864.

WITH reference to instructions given to us to transmit to the Foreign Office at the end of each year a certified copy of the register of slaves emancipated by sentence of this Mixed Commission, we have the honour to acquaint your Lordship that no vessel with slaves on board has been brought before us during the year ending December 31, 1863.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

No. 45.

Her Majesty's Commissioners to Earl Russell.—(Received February 25.)

My Lord,

Cape Town, January 6, 1864.

WE have the honour to transmit to your Lordship a Report drawn up by the Mixed Commission, of which we are members, in compliance with the provisions of Article XI, Annex B, to the Treaty of July 3, 1842, between Great Britain and Portugal for the suppression of the Traffic in Slaves, relating—

1. To the cases which have been brought before the Court for adjudication.
2. To the state of the liberated negroes.
3. To the treatment and progress made in the religious and mechanical education of the liberated negroes.

We have also the honour to inform your Lordship that our Portuguese colleague is about to transmit a duplicate original of this Report to the Government of His Most Faithful Majesty.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD

Inclosure in No. 45.

Annual Report of the Mixed Commission.

IN pursuance of Article XI of Annex B to the Treaty concluded on the 3rd of July, 1842, between Great Britain and Portugal, for the suppression of the Traffic in Slaves, by which it is stipulated that the Mixed Commissions shall transmit annually to each Government a Report relating—

1. To the cases which have been brought before them for adjudication;
2. To the state of the liberated negroes;
3. To every information which they may be able to obtain respecting the treatment and the progress made in the religious and the mechanical education of the liberated negroes;—

The Undersigned, members of the Mixed Commission established at the Cape of Good Hope, have the honour to report to the Government of Her Britannic Majesty, and to the Government of His Most Faithful Majesty, that no case has been brought before them for adjudication during the year ending December 31, 1863, and that no negroes have been emancipated by Decree of this Mixed Commission since its establishment.

(Signed) GEO. FRERE. EDUARDO A. DE CARVALHO.
E. L. LAYARD.

(Signed)

WM. TASKER SMITH, Registrar.

*Mixed British and Portuguese Commission, Cape Town,
December 30, 1863.*

No. 46.

Her Majesty's Commissioners to Earl Russell.—(Received February 25.)

My Lord,

Cape Town, January 6, 1864.

WE have the honour to report to your Lordship that no case has been adjudicated by the Mixed British and United States' Court of Justice of which we are members, during the half-year ending December 31, 1863.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

No. 47.

Her Majesty's Commissioners to Earl Russell.—(Received February 25.)

My Lord,

Cape Town, January 6, 1864.

WE have the honour to inform your Lordship that no slaves have been emancipated by sentence of this Mixed British and United States' Court of Justice during the year ending December 31, 1863.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

Her Majesty's Commissioners to Earl Russell.—(Received February 25.)

My Lord,

Cape Town, January 26, 1864.

WE have the honour to report to your Lordship that during the present month two large vessels have touched here conveying coolies from Hong Kong to the Havana, namely:—

1. The ship "Luisita," formerly the "Fanny Terry" of New York, of 685 tons; number shipped 308; deaths 34; owner, F. M. da Graça of Macao. Arrived on the 4th of January, and sailed on the 7th.

2. The ship "Camoëns," formerly the "Julia G. Taylor," of New York; of 846 tons; number shipped 400; deaths 8; owner J. M. da Fonseca of Macao. The shipments in both these vessels were made in virtue of passports from the Spanish Consul at the port of embarkation, and consisted entirely of males. Two other vessels may shortly be expected under similar circumstances; namely, the "Sarah Chase," now called the "Donna Maria da Gloria," and the "Parliament," the new name of which is not reported.

From what we have been able to learn there is no doubt but that these were American vessels engaged in the conveyance of coolies under the Royal Decree of June 6, 1860, and that the Portuguese flag and papers were obtained for them from the Governor of Macao in order to secure them from molestation by vessels cruising under the Confederate flag. Our Portuguese colleague, Senhor Carvalho, is, however, far from satisfied with the manner in which this appears to have been effected.

The regulations of the Portuguese law which require that a certain number at least of the officers and crew should be Portuguese subjects seem to have been disregarded, there being but one person shipped nominally as captain, all the rest being Americans. The pretended captain of the "Luisita," a coloured man, named Nunez, indeed, admitted that he was hired on monthly wages, and was promised a passage back to Macao from Havana if the vessel was not continued in the same course of trade.

The number of persons shipped is also, we believe, in excess of what is allowed by the laws either of the United States or of Portugal, being in both cases nearly one to every two tons.

These cases have also attracted the attention of our American colleagues, who are almost inclined to view the employment of American vessels in this carrying trade as amounting to an infraction of the laws of the United States against the Slave Trade. We are without information as to how the Spanish authorities carry out the provisions of the Royal Decree under which these coolies are being introduced into Cuba, but the regulations seem well calculated to secure the freedom and good treatment of the persons imported, the introduction of such persons, under due protection, being one of the measures suggested in 1860 by Her Majesty's Government to that of Spain, as a remedy against the continuance of the importation of slaves into the Island of Cuba.

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

Her Majesty's Commissioners to Earl Russell.—(Received April 4.)

My Lord,

Cape Town, February 4, 1864.

WITH reference to our despatch of the 6th of January last, we have the honour to report to your Lordship the arrival here of the two vessels which we then informed your Lordship were expected to visit this port, conveying coolies from Hong Kong to Havana.

First, the "Alphonso da Albuquerque," formerly the "Parliament," of 621 tons; numbers shipped 310, deaths 15; owner, José da Silva, of Macao; arrived on the 30th January, and sailed on the 3rd of February.

Second, the "Donna Maria da Gloria" (formerly the "Sarah Chase"), of 592

tons; numbers shipped 291, deaths 30; owner, Francisco Manoel da Cunha, of Macao; arrived on the 31st of January, and sailed on the 3rd of February.

The large number of deaths which occurred on board the latter of these vessels was probably owing to the coolies not being allowed to come on deck, in consequence of several having thrown themselves into the sea shortly after the vessel left Macao.

These shipments were all made in virtue of passports from the Spanish Consul, and from what we have been able to learn, every care seems to have been taken to secure the comfort and good treatment of these coolies.

Mr. Layard inspected the passports of and visited both these vessels, and speaks highly of the care manifested for the comfort of the coolies, who appear to be mostly young persons under twenty-five years of age.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

No. 50.

Her Majesty's Commissioners to Earl Russell.—(Received April 4.)

My Lord,

Cape Town, February 4, 1864.

WE have the honour to transmit to your Lordship a Report of the cases of thirteen dhows adjudicated in the Court of Vice-Admiralty in this Colony on the 3rd instant, and condemned as good prizes to Her Majesty's ship "Ariel."

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

Inclosure in No. 50.

Report of the cases of fourteen Dhows condemned in the Vice-Admiralty Court, on the 3rd of February, 1864, as Prizes to Her Majesty's ship "Ariel."

No. 1. A dhow of 32.49 tons, name and nation unknown, captured on the 8th December, 1862, by Lieutenant Dunlop, while cruising off Pemba Island, in command of the pinnace and whaler of Her Majesty's ship "Ariel." This dhow was observed about 10 A.M. standing to the northward, and on being chased she put about and ran on shore on the island, where her crew were seen to land, carrying with them the sail. Upon being searched she was found to be without colours or papers, and fully equipped for the Slave Trade, with a large quantity of matting soiled; and from her filthy state she had evidently just been used by slaves.

No. 2. A dhow of 49.74 tons, name and nation unknown, captured on the 11th December, 1862, by Lieutenant Dunlop, while cruising off Pemba Island, in command of the pinnace and whaler of Her Majesty's ship "Ariel." This dhow was observed at 5 P.M. on the 10th of December, 1862, at anchor off Port George, and as the boats neared the crew were observed to desert her. Lieutenant Dunlop, after examining the dhow, proceeded to the island, and requested the headman on the island to acquaint the master of the dhow that he would allow him twelve hours to establish the lawful character of the vessel. On the following day the master not appearing, the headman informed the captor that the dhow was in fact a Northern Arab slaver. Upon examination she was found fully equipped for the Slave Trade, and without colours or papers. She was then taken in tow by Her Majesty's ship "Ariel," for the purpose of being conveyed to Zanzibar, but during the night she made so much water that it became necessary to abandon her, which was accordingly done after she was scuttled.

No. 3. A dhow of $148\frac{1}{2}$ tons, name and nation unknown, captured on the 21st of December, 1862, by Sub-Lieutenant Fellowes, while cruising off Itzandra, in the Island of Comoro, in command of the cutter of Her Majesty's ship "Ariel." At about 5 P.M. a dhow was observed, crowded with people, standing in for Maroonny, and as soon as she saw the cutter she altered her course, and made for Itzandra, and ran on shore, when the crew, who were distinguished by their clothing, and about 160 naked negroes, evidently slaves, were seen to leap on shore, and escape into the bush.

Upon being boarded she was found without colours or papers, completely fitted for the Slave Trade, and from the filthy state of the slave-deck, appeared to have recently held a cargo of slaves. One slave, a boy, was found, who could not, from his emaciated condition, be carried off with the others.

No. 4. A dhow of $133\frac{6}{135}$ tons, name and nation unknown, captured on the 26th February, 1863, by Her Majesty's ship "Ariel," Commander Chapman, cruising off Comoro. This vessel was observed about sunset standing towards Comoro, and having been overhauled, Commander Chapman sent Lieutenant Dunlop to examine her. Upon examination she was found to be without colours or papers, but in every respect fitted for the Slave Trade, and to have on board a crew of eight men, Northern Arabs, two passengers, suspected to be slave-dealers, and four slaves. The crew and passengers were transhipped, at their own request, to a dhow which was in company under French colours, and the slaver were taken to Seychelles, and delivered to the Civil Commissioner of that Settlement.

No. 5. A dhow of $63\frac{6}{2}$ tons, name and nation unknown, captured on the 6th of March, 1863, by Lieutenant Dunlop, in command of the pinnace and gig of Her Majesty's ship "Ariel," cruising off Pemba Island. This vessel was boarded at sunset lying at anchor in Port George. The captors found the crew in the act of deserting her, and that she was fully equipped for the Slave Trade, with a quantity of mats in a filthy state, and

had obviously just held a cargo of slaves. They also found about a dozen muskets, with ammunition in proportion, and forty spears, but no colours, or papers.

No. 6. A dhow of 189·888 tons, name and nation unknown, captured on the 8th of March, 1863, by Lieutenant Dunlop, in command of the pinnace and gig of Her Majesty's ship "Ariel," while cruising off Pemba Island. On the 7th of March Lieutenant Dunlop being with the gig alone, at about 8 A.M. observed a dhow crowded with people, apparently slaves, being hauled in-shore. The crew, between thirty or forty in number, were armed with swords and spears. Lieutenant Dunlop, therefore, thought it best not to overhaul her until the arrival of the pinnace. At daylight the next morning he observed that the dhow had disappeared, but he learned from a legal trader that she had proceeded up a small river, after landing a cargo of slaves. Being reinforced by the arrival of the pinnace, he proceeded with the boats up the creek, and discovered the prize hauled up under a cliff, and upon proceeding to board her she was deserted by her crew. On searching her she was found thoroughly equipped for the Slave Trade, without colours or papers, and presented all the appearance of having recently held a cargo of slaves.

No. 7. A dhow of 115·9688 tons, name and nation unknown, captured on the 14th March, 1863, by Her Majesty's ship "Ariel," Commander Chapman, cruising off Kissomany point, Monfia Island. This vessel was observed at 3 P.M. at anchor off the point. Upon being boarded, the captors found a crew of six men, Northern Arabs, but neither colours nor papers; a slave-deck was in the course of construction, and in other respects she was fully equipped for the Slave Trade. One hundred and forty-seven dollars were discovered secreted on the persons of the crew. They were taken on board Her Majesty's ship "Ariel," and conveyed to Zanzibar, where they were handed over to His Highness the Sultan.

No. 8. A dhow of 197·8608 tons, name and nation unknown, captured on the 31st March by Her Majesty's ship "Ariel," Commander Chapman, cruising off Melinda. This dhow was intercepted standing to the northward. Upon being searched, the captors found a crew of twenty men, no colours or papers, a slave-deck laid, a quantity of slave food, three very large water-tanks, one holding at least three tons of water, and the others a ton each, upwards of twenty slave-irons, and nine male negro boys. The master admitted that he was about to proceed to Tola to take in a cargo of 500 slaves. The crew and slaves were then removed, and on the following day a bag containing 300 dollars was discovered on board the dhow. The crew at their own special request were subsequently transhipped to a northern dhow, a legal trader, and the slaves conveyed to Seychelles and handed over to the Civil Commissioner of that Settlement.

No. 9. A dhow of 132·896 tons, name and nation unknown, captured on the 31st March, 1863, by Her Majesty's ship "Ariel," Commander Chapman, while cruising off Melinda. This dhow was observed standing to the north, whereupon Her Majesty's ship "Ariel" stood towards her, and intercepted her shortly after dark. Upon being searched, she was found fully equipped for the Slave Trade, with no colours or papers, and a crew of eighteen men, Northern Arabs, and seven male slaves. The master admitted that he was bound to the Island of Tola for a cargo of slaves. The crew were then taken to Zanzibar and handed over to His Highness the Sultan, and the slaves subsequently conveyed to Seychelles, and delivered to the Civil Commissioner of that Settlement.

No. 10. A dhow of 47·52 tons, name and nation unknown, captured on the 9th of April, 1863, by Her Majesty's ship "Ariel," Commander Chapman, being in latitude 2° 25' south and longitude 41° 13' east.

This vessel was sighted at daylight, chased, and captured. Upon being searched she was found with a crew of eight men, Northern Arabs, but neither colours nor papers, and engaged in the Slave Trade, being thoroughly equipped for the traffic and having 59 negro slaves on board, 32 males and 27 females. The crew and slaves were taken on board Her Majesty's ship "Ariel." The former were subsequently at their own request placed on board a legal trader, and the latter conveyed to Seychelles and delivered over to the Civil Commissioner.

No. 11. A dhow of 120·240 tons, name and nation unknown, captured on the 23rd of April, 1863, by Her Majesty's ship "Ariel," Commander Chapman, in latitude 0° 6' north and longitude 45° 17' east. This vessel was sighted at 9 A.M. standing to the northward, and after a chase she hove-to, on a gun being fired. Upon examination, she was found with a crew of nineteen persons, Northern Arabs, with no colours or papers, fully equipped for the Slave Trade. A number of slave-irons and two slaves, a male and female, were also found on board, the latter in a very debilitated state from bad usage, found in a box stowed on the keel, and concealed under several bags of dates.

The crew were transhipped at their own request into a legal trading dhow bound northward, and the slaves subsequently conveyed to Seychelles, and delivered over to the Civil Commissioner.

No. 12. A dhow of 72·09 tons, name and nation unknown, captured on the 22nd day of September, 1863, by Her Majesty's ship "Ariel," Commander Chapman, off Lindy River. This dhow was observed at anchor at the mouth of the river with Arab colours flying. Upon being searched she was found with a crew of eight men, Soori Arabs, and one person who called himself a passenger, a slave-deck partly laid, and the rest of the materials required to complete it on board, and in other respects thoroughly equipped for the Slave Trade. The crew and passengers were put on shore at their own request; no papers were discovered on board.

No. 13. A dhow of 141·34 tons, name and nation unknown, captured on the 26th September, 1863, by Lieutenant Stubbs while cruising off Keelwa in command of the cutter and gig of Her Majesty's ship "Ariel." At about 5 P.M. on the 25th, the captors observed two dhows hauled in close to the shore in a small river. They then stood off for the night, and early the next morning boarded the first. Upon examination she was found deserted, with no colours or papers, and fully equipped for the Slave Trade, and to be of Buddeen or Northern Arab build. Upon searching the second (No. 14), a dhow of 72·27 tons, name and nation unknown, they found her also to be of Buddeen or Northern Arab build, completely deserted, fully equipped for the Slave Trade, and without colours or papers.

The tonnage of these vessels was ascertained by admeasurement, after which, with the exception of No. 2, which was taken in tow by Her Majesty's ship "Ariel," and afterwards scuttled, they were at once destroyed as being unfit for a voyage to a port of adjudication.

No. 51.

Her Majesty's Commissioners to Earl Russell.—(Received April 4.)

My Lord,

Cape Town, February 13, 1864.

WE have the honour to transmit to your Lordship a report of the cases of three dhows adjudicated in the Court of Vice-Admiralty of this Colony on the 12th instant, and condemned as good prizes to Her Majesty's ship "Rapid."

We have, &c.

(Signed)

GEO. FRERE.

E. L. LAYARD.

Inclosure in No. 51.

Report of the cases of three Dhows condemned in the Vice-Admiralty Court, on the 12th of February, 1864, as Prizes to Her Majesty's ship "Rapid."

No. 1. A DHOW of 73·79 tons, name and nation unknown, captured on the 9th of April, 1863, by Lieutenant Dupuis, while in command of the gig and pinnace of Her Majesty's ship "Rapid," at anchor off Manda Bay. This vessel was observed at 5 P.M. standing towards the boats, whereupon she was boarded. The captors had barely time to observe that she was full of people, when a second dhow was observed standing on the same course. Lieutenant Dupuis then directed the crew of the dhow to bring her to an anchor, while he intercepted the other, which upon examination proved to be a lawful trader. On returning to the first dhow he found the crew had beached her. Upon being searched she was found fully equipped for the Slave Trade, deserted by her crew, and with neither colours nor papers.

No. 2. A dhow of 63·24 tons, name and nation unknown, captured on the 25th of April, 1863, by Her Majesty's ship "Rapid," Commander Iago, while cruising in latitude 1° 19' north, and longitude 44° 41' east. This dhow was observed at daylight standing to the northward, but on observing the "Rapid" she changed her course for the land; the "Rapid" then made sail in pursuit, firing large and small arms from time to time. After six hours' chase the dhow was overhauled and boarded. Upon being searched she was found to be of Buddeen build, with a crew of 8 men and 2 passengers, without colours or papers, thoroughly equipped for the Slave Trade, and 42 slaves—36 boys and 6 girls—on board, all, with one exception, of tender age. The crew and passengers were transhipped, at their own request, to a legal trader bound to the North, and the slaves removed on board Her Majesty's ship "Rapid." Forty of these slaves were landed at Seychelles and delivered over to the Civil Commissioner; the other two were sent, for the improvement of their health, to the Cape in Her Majesty's ship "Penguin."

No. 3. A dhow of 71·8 tons, name and nation unknown, captured on the 2nd of December, 1863, by Her Majesty's ship "Rapid," Commander Iago, off Mozambique. This vessel was observed on the 1st of December, standing to the eastward; but before she could be overhauled, night set in and she was lost in the dark, but was again sighted, and overhauled the next day in latitude 14° 53' south, and longitude 42° 52' east, the dhow at the time flying Arab colours. Upon being searched she was found actively engaged in the Slave Trade, having 198 slaves on board, of both sexes and all ages, but the greater part being children of tender age, many under the age of 6 years. She was fully equipped for the Slave Trade, with a crew of 18 men, Northern Arabs, and 30 passengers, but no regular papers. On the master being questioned, he produced two documents: one, a French clearance for Mozambique to the dhow "Salamti," dated at Nos Bé, the 30th of June, 1863; and the other, a Portuguese clearance for Nos Bé for the Arab dhow "Marra Come," dated at Mozambique, the 9th of November, 1863; but these papers were not found to correspond with the description of the vessel on her course towards Mohilla with a voyage to the port for which the vessel mentioned in the second document was cleared. The captor then took her in tow, and proceeded to Johanna, where she was beached and abandoned, the crew and the passengers being landed at their own request.

At Johanna 191 of the slaves were landed for the benefit of their health; while there 4 died and 2 absconded, and the rest were again taken on board the "Rapid" and brought to Table Bay, where they arrived on the 21st ultimo, and were, with exception of 5, who died on the voyage from dysentery, at once placed in charge of the Curator of Liberated Africans, by whom they will be apprenticed.

The tonnage of these vessels was obtained by admeasurement; after which, with the exception of No. 3, which was abandoned, they were destroyed, being unfit for a voyage to a port of adjudication.

No. 52.

Her Majesty's Commissioners to Earl Russell.—(Received June 29.)

My Lord,

Cape Town, May 19, 1864.

WE have the honour to lay before your Lordship the latest information we have received of the state of the Slave Trade on the East Coast of Africa.

The Slave Trade is still carried on in dhows from places in the vicinity of Mozambique, nominally within the Portuguese territory, but not under control of the authorities. The trade is not very extensive, but it is difficult to suppress it entirely, because these dhows soon learn when Her Majesty's cruisers leave Mozambique, and then slip out in the night, and a day's sail carries them beyond reach.

The Slave Trade from the territory of the Sultan of Zanzibar has received a
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most important check, owing to his Highness having prohibited the transport of slaves by sea along the coast during the monsoon, and given permission to Her Majesty's cruisers to seize dhows belonging to his subjects if found so employed, and to bring them to Zanzibar for adjudication. In one case this permission has been acted upon by Lieutenant McHardy, of Her Majesty's ship "Penguin," who seized a dhow off Mombas in March last, and gave her up to the authorities at Zanzibar, where she was condemned and destroyed.

The effect of these measures has been that few or no cargoes have been carried this year; slave-vessels are rarely seen; the slave-market is nearly empty, and the piratical Arabs consequently, who used almost, as it were, to take possession of the town at the season, are now few in number and quiet in demeanour. The absence of these Arabs is all the more satisfactory as it has no effect on the commercial prosperity of Zanzibar, except in regard to the Slave Trade.

The scale of importation of slaves into Zanzibar appears to have fallen periodically as follows. The numbers imported during the year ending August 1861, were 19,000; August 1862, 14,000; August 1863, 12,000; and will be probably less this year.

This has naturally led to a corresponding rise in the price of slaves in Arabia, where it averages from 120 to 300 dollars; and as the price at Zanzibar is from 6 to 20 dollars only, the enormous profit will undoubtedly continue to tempt the Arabs to carry on a traffic which is not only time-honoured among them, but even sanctioned by their religion, so that it will still require the utmost vigilance of our cruisers, even if aided by the local authorities at the place of export, to put an end to it.

It is with much pleasure that we learn that the Portuguese authorities at Mozambique, as well as the Sultan of Zanzibar, are doing their part towards discouraging and suppressing the Traffic.

Of the "Engagé Trade" we have heard nothing, and we believe that no vessel engaged in it has of late been met with by any of Her Majesty's cruisers.

Five dhows have been taken by Her Majesty's ship "Orestes," and one by Her Majesty's ship "Penguin," but the cases have not yet been brought in for adjudication.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

No. 53.

Her Majesty's Commissioners to Earl Russell.—(Received June 29.)

My Lord,

Cape Town, May 19, 1864.

WE have the honour to report to your Lordship that the Spanish vessel "*America*" has been detained by Her Majesty's ship "*Ariel*," and is on her way to Sierra Leone for adjudication.

This vessel and another of the same class named the "*Duque de Tetuan*" arrived on the East Coast about the middle of last year, ostensibly to procure cargoes of rice, but were so fitted as to be able to carry a cargo of slaves, and little doubt existed amongst the Portuguese authorities and the officers of Her Majesty's ships that they would have taken slaves if a favourable opportunity occurred. They were examined more than once, but nothing was found to justify capture in the opinion of the examining officer, and the "*Duque de Tetuan*" sailed from Mozambique on the 22nd of January last with a cargo of rice and cocoa nuts for Cadiz.

The "*America*" also left Mozambique ostensibly to procure a cargo of rice, but was detained by Captain Chapman as above stated. The exact grounds of suspicion we have not been able to learn, but we understand that the principal facts are the quantity of water and a slave-deck. The mate of the "*America*" was left at Mozambique professedly to take care of some wine, but probably to act as agent for three other Spanish vessels expected on a like speculation, which has, however, ended most unprofitably for the two vessels which preceded them.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

No. 54.

Her Majesty's Commissioners to Earl Russell.—(Received June 29.)

My Lord,

Cape Town, May 19, 1864.

WE have the honour to report to your Lordship that Mr. Waller, one of the gentlemen who accompanied Bishop Mackenzie on the East Central African Mission, has brought to this Colony a party of negroes who were taken under the protection of the Mission on its first establishment, and accompanied the Mission when it retired within the Portuguese territories. Had these negroes all been abandoned there when it was finally decided that the Mission should leave the country, they would necessarily have relapsed into the condition of slavery from which they had been rescued; and it was therefore decided by Dr. Livingstone that they should be brought away and placed where their freedom would be secure. Some arrived with Mr. Waller in the "Pioneer," the steamer attached to Dr. Livingstone's expedition, the others in Her Majesty's ship "Orestes;" altogether they number 42, of whom 28 are boys from 9 to 19 years of age, and 14 are girls and women.

Some correspondence passed between the Colonial authorities and the Commander-in-chief and Mr. Waller, as to the position in which these people stood, which resulted in their being treated in all respects like any other immigrants arriving in the Colony; they were accordingly received from the naval officers by the Collector of Customs at Simon's Town, and by him handed over to Mr. Waller, who lodged them in a building lent to him by the Colonial Government, until such time as he could place them in private families, which has now been done. Persons to whom these people have been confided have engaged to feed and clothe and instruct them, and to put wages for them into the savings' bank until they are sufficiently advanced to be able to shift for themselves; and their interests are to be watched over by the Rev. Thomas Lightfoot, who has for many years been the head of a congregation of the coloured people in this city, and who has kindly consented to become their guardian.

The subject of the removal of these people from their native country in the first instance will be best brought before your Lordship by Dr. Livingstone himself, but we may remark upon some rumours that this was done surreptitiously, and without the sanction of the Portuguese authorities, that any such allegations can hardly be considered worthy of credit when made against a person of Dr. Livingstone's well-known character, and are quite inconsistent with the facts that the "Pioneer" and the "Lady Nyassa" were both for some time at Shire Mouth and Mazaro, and subsequently at Mozambique, and that at all these places it was perfectly well known to the Portuguese authorities that these people were on board, and were about to be taken away by their protectors, and that no complaint or objection whatever was made to their leaving by any of the officials.

We have, &c.

(Signed)

GEO. FRERE.

E. L. LAYARD.

No. 55.

Her Majesty's Commissioners to Earl Russell.—(Received August 26.)

My Lord,

Cape Town, June 30, 1864.

WE have the honour to report to your Lordship that no case has been adjudicated by the Mixed Courts of Justice during the half-year ending this day.

We have, &c.

(Signed)

GEO. FRERE.

E. L. LAYARD.

No. 56.

Her Majesty's Commissioners to Earl Russell.—(Received August 26.)

My Lord,

Cape Town, July 21, 1864.

WE have the honour to inform your Lordship that Mr. Pringle, the Judge in this Mixed Court of Justice, on the part of the United States of America, has this

day left the Colony on leave of absence for six months. In compliance with Article 9, of Annex B to the Treaty, Mr Pringle's place is now filled by Mr. Avery, the Arbitrator on the part of the United States.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

No. 57.

Her Majesty's Commissioners to Earl Russell.—(Received September 26.)

My Lord,

Cape Town, August 15, 1864.

WE have the honour to transmit to your Lordship a Report of the cases of 6 dhows, this day adjudicated in the Court of Vice-Admiralty of this Colony—five of which were condemned as good prizes to Her Majesty's ship "Orestes," and one to Her Majesty's ship "Penguin."

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

Inclosure in No. 57.

Report of the cases of six dhows condemned in the Vice-Admiralty Court, on the 15th of August, 1864.

No. 1. A DHOW of $18\frac{3}{4}$ tons, name and nation unknown, captured on the 1st of August, 1863, by Captain Gardner, of Her Majesty's ship "Orestes," in the channel of Zanzibar.

Upon being searched, she was found to be without colours or papers, fully equipped for the Slave Trade, with a crew of 8 men and 62 slaves, 30 men, 10 women, 11 boys, and 11 girls, all more or less in a state of nudity, and stowed on slave-mats laid in the hold.

The crew were handed over to His Highness the Sultan of Zanzibar, who, on investigation, discovering that they had been guilty of murder as well as kidnapping, caused one of them to be executed and the rest to be imprisoned.

The slaves were taken in Her Majesty's ship "Orestes" to Seychelles and delivered to the Civil Commissioner, with the exception of one boy, who at his own request was brought to Simon's Bay.

No. 2. A dhow, $73\frac{1}{2}$ tons, name and nation unknown.

No. 3. A dhow, $84\frac{9}{10}$, name and nation unknown.

No. 4. A dhow, $58\frac{1}{2}$, name and nation unknown, captured on the 22nd August, 1863, by Acting-Lieutenant Lang, in command of the launch and cutter of Her Majesty's ship "Orestes." At 11 A.M. the boats put into Port Cockburn, Pemba Island. When there, three dhows, which had been at anchor, on seeing the approach of the boats, were ran ashore. As the captors neared they saw the crews, who were distinguished by their clothing, and a number of naked negroes, evidently slaves, quitting the vessels and making for a neighbouring hill, where they collected together.

Upon boarding the first, they found she was scuttled, without colours or papers, and fully equipped for the Slave Trade.

Upon boarding the second, they found her also scuttled and half full of water, with neither colours or papers, and fully equipped for the Slave Trade.

The third was found fast aground, also without colours or papers, and with a large quantity of slave-mats, which from their filthy state had evidently just been used for slaves, and she was in other respects completely fitted for the Slave Trade.

No. 5. A dhow of $58\frac{1}{2}$ tons, name and nation unknown, captured on the 23rd of August, 1863, by Lieutenant Lang, in command of the launch and cutter of Her Majesty's ship "Orestes." At about 6 P.M., when the captors put into Port George, Pemba Island, they observed a dhow lying high and dry on the beach. Upon examination she was found wholly deserted, without colours or papers, with a temporary slave-deck laid and completely fitted for the Slave Trade.

No. 6. A dhow, of $38\frac{3}{4}$ tons, name and nation unknown, captured on the 15th of April last, by Her Majesty's ship "Penguin," Lieutenant M'Hardy, while at anchor off the Island of Ukomy. This vessel was observed at daylight at anchor under the land, whereupon Lieutenant M'Hardy proceeded in his whaler to ascertain her character. Every effort was made by those on board to escape capture, but at half-past 7 Lieutenant M'Hardy succeeded in securing her. Upon being searched she was found without colours or papers, with a crew of thirteen men, Arabs, and five passengers, Soories or Northern Arabs, and thoroughly equipped for the Slave Trade. The crew were landed at Zanzibar.

The tonnage of these vessels was ascertained by admeasurement, after which they were destroyed, as being unfit for a voyage to a port of adjudication.

No 58.

Her Majesty's Commissioners to Earl Russell.—(Received October 24.)

My Lord,

Cape Town, September 17, 1864.

WE have the honour to transmit to your Lordship a Report of the cases of 3 dhows, adjudicated in the Court of Vice-Admiralty of this Colony, this day, and condemned as good prizes to Her Majesty's ship "Ariel."

We have, &c.

(Signed)

GEO. FRERE.

E. L. LAYARD.

 Inclosure in No. 58.
*Report of the cases of three Dhows condemned in the Vice-Admiralty Court, on the 17th September, 1864.*No. 1. Adhow of 70 $\frac{3}{8}$ tons, name and nation unknown.

No. 2. A dhow of 40 $\frac{3}{8}$ tons, name and nation unknown, captured on the 20th of April, by Lieutenant Buckle while cruising in the cutter of Her Majesty's ship "Ariel," in latitude 8° 0' south, and longitude 39° 20' east. The first of these vessels was observed at 9 A.M. standing to the northward; on seeing the cutter she wore and bore up for the mainland, and at a quarter to 10 hove to for the purpose of communicating with another dhow likewise running north. The two vessels then made all sail, but after 30 miles chase, finding the captors rapidly gaining upon them, ran into the Sufigi River, where they were beached and deserted by their respective crews. During the chase the decks of both vessels were observed to be crowded with persons supposed to be slaves. Upon being searched they were found to be fully equipped for the Slave Trade, without colours or papers, with slave decks ready laid, covered with mats in a soiled and dirty state.

Shortly after they had been boarded, a native from the shore brought on board certain documents purporting to be the ships' papers, namely, two Arab passes and two certificates of registry granted by the British Consul at Zanzibar, one to the British-owned vessel "Iogaro," Abdulla master, and Abdulla Ramjee owner, dated the 4th of February, 1864, and the other to the British-owned vessel "Jugo," Abdullah master, and Abdullah Ramjee owner, dated 6th of August, 1862, but as these certificates mentioned neither the tonnage nor the description of the vessels for which they had been issued, it was not possible to ascertain whether they really belonged to the vessels captured.

No. 3. A dhow 49 $\frac{5}{8}$ tons, name and nation unknown, captured on the 18th of May by Her Majesty's ship "Ariel," in latitude 6° 4' south, and longitude 39° 10' east. This dhow was observed standing to the northward, whereupon Commander Chapman, who had received previous information as to her character from the British Consulate at Zanzibar, despatched a boat which intercepted her and brought her alongside the "Ariel." Upon being searched she was found to be without colours or papers, with a crew of six men, Souries, and completely fitted for the Slave Trade. The crew were landed at Zanzibar and handed over to his Highness the Sultan.

The tonnage of these vessels was ascertained by admeasurement, after which they were destroyed, being unfit for a voyage to a port of adjudication.

 No. 59.
Her Majesty's Commissioners to Earl Russell.—(Received October 24.)

(Extract.)

Cape Town, September 20, 1864.

IN compliance with your Lordship's instructions, we have the honour to lay before your Lordship our Report upon the Slave Trade on the East Coast of Africa during the past year.

We regret that we cannot report any falling off in the export of slaves for the Spanish West Indies; 3 vessels have been upon the coast for this purpose, and, although much delayed and impeded in their proceedings by Her Majesty's ships, 2 of them, the "*Duque de Tetuan*" and a brig, name unknown, have escaped with full cargoes, shipped at or near Inhambane; the third, named the "*America*," belonging to the same owner, at Cadiz, has been detained by Her Majesty's ship "Ariel," and, although it may be difficult for the captors to produce proof sufficient to secure her condemnation, it may be hoped that her detention will tend to check the traffic.

The trade to the North West Coast of Madagascar also still continues, principally for the supply of slaves to Nosbeh and Mayotta, whither they are shipped as passengers or engagè.

From the neighbourhood of Zanzibar, and from ports on the mainland to the northward of Cape Delgado, the trade is carried on as briskly as ever to the Persian Gulf and Arabia, as well as for the legal importation into Zanzibar. The Order of the Sultan, by which the carrying of slaves between ports in His Highness' dominions was forbidden between January and May, with a view to prevent their being taken

to the Persian Gulf, under pretence of being destined for Zanzibar, has, we fear, not diminished the numbers actually taken to those ports, while it has greatly added to the sufferings undergone by the unfortunate negroes on the voyage, for the dhows are very much overcrowded during the legal seasons—some, and those not of the largest class, carrying as many as 350 slaves. A great number of slaves are taken to Pemba Island, their ultimate destination also being for shipment to the Red Sea or Persian Gulf in August and September, when the monsoon is over. Slaves are also still shipped from Zanzibar, early in the monsoon, in spite of the efforts of His Highness the Sultan, who we are glad to report, is doing his utmost to suppress the traffic. Among the measures for this purpose in contemplation, is a better system of passes, under which a document, printed in Arabic and English, will be furnished to each vessel for each voyage; hitherto, as your Lordship may be aware, from the Reports which we have had the honour to transmit to you of cases condemned in the Vice-Admiralty Court, even where ship's papers have been found, they have been so imperfect as to be of no service to the Court in the investigation of the case.

Twenty-nine dhows have been captured, by Her Majesty's cruisers, 17 have been condemned in the Vice-Admiralty Court of this Colony, as prizes to Her Majesty's ship "Ariel," 3 to Her Majesty's ship "Rapid," 1 to Her Majesty's ship "Penguin," and 5 to Her Majesty's ship "Orestes," 2 taken by Her Majesty's ship "Rapid" have not yet been brought in for adjudication, and 1 seized by Her Majesty's ship "Penguin" was taken to Zanzibar, where she was condemned and destroyed.

Three hundred and eighty-three slaves were taken out of these dhows, 194 of whom were landed at Seychelles, and delivered over to the Civil Commissioner of that settlement, and the rest, with exception of 11, who died on the voyage, were brought to Table Bay, and placed in charge of the Curator of liberated Africans.

The 32 vessels, hereinbefore alluded to, as known to have been engaged in the Slave Trade, form, we believe, but a small portion of those engaged in the traffic that is carried on from the East Coast of Africa; and we venture again to repeat our conviction that no serious impression will be made upon the traffic unless the number of Her Majesty's ships on this station is much increased—there are at present only three available for this vast extent of coast.

LOANDA.

No. 60.

Her Majesty's Commissioner to Earl Russell.—(Received February 20, 1864.)

My Lord,

Loanda, December 28, 1863.

I HAVE the honour to transmit a translation of the Judgments rendered by the Tribunals of the 1st and 2nd Instance on the trial of the crew of the Portuguese brigantine "*Laura*," condemned by the Court of Mixed Commission established in this city. The appeal of the Procurador Regio to the Supreme Court at Lisbon against the verdicts of acquittal is annexed to the Judgments. The documents are written in language of so technical a nature that I have been compelled to request the assistance of Senhor Peixoto to translate them. The translation gives, I believe, a tolerably intelligible interpretation, but I have thought it advisable to forward certified copies of the original Judgments.

The decisions of the Tribunals in the proceedings against the crew and passengers of the launch "*E*" are of a still more technical character, and more difficult to translate. I have not yet succeeded in obtaining a satisfactory interpretation of many passages which are obscure in the original, but I will by the first opportunity have the honour of forwarding the best translation that with the assistance of Senhor Peixoto I can prepare.

I have, &c.

(Signed) W. VREDENBURG.

Inclosure in No. 60.

Judgment, and Appeal of the Procurador Regio, in the case of the Crew of the brigantine "Laura."

(Translation.)

THE witnesses examined in the present cause and other proceedings implicate none of the defendants or bring any charge against them; whereas not one of the deponents, numbering twenty, produced by the Procurador Regio has knowledge of the crime in its essence imputed to the defendants, nor of any circumstance concerning the same, some of them vaguely speaking of another distinct fact, that of the prize, and this in consequence of having seen the brigantine "*Laura*" entering this port as a prize to a British cruiser, and from having read the Judgment as published in the official "*Boletim*" of this Provincial Government.

With respect to this condemnatory Judgment awarded by the Mixed Commission Court, it cannot convince this Criminal Court of the criminality of the defendants for the following reasons:—

The Mixed Commission Court forms an exceptional Tribunal that adjudges and condemns, not by the forms and general principles of the law of the country, but by the principles and stipulations of the Treaty of the 3rd of July, 1842 (*ibid.*, Article VII), principles and stipulations very special, restrictive, and exceptional to common law according to the said Treaty. The master, mate, crew, and passengers found on board any vessel condemned as a good prize are immediately placed at the disposal of the Government of the country under whose flag they were sailing at the time of capture, in order to be tried and punished according to the laws of that country (*ibid.*, Article XII). Consequently in the present case the general forms and principles of the Portuguese Penal Code are to be observed in regard to the defendants, and it is according to these rules that they are to be tried and sentenced; but as it is not admitted by criminal law to classify as crime from mere analogy, induction from parity, or "*maioridade de razão*," it being always required that the elements essentially constitutive of crime should be proved (Penal Code, Article 18), the defendants cannot in face of these principles and in presence of the proceedings be considered as convicted of the crime of slave-dealing for want of proof or legal indictment before the common forum of criminal law.

I therefore adjudge the said defendants to be restored to liberty, their note of criminality to be made void, and this to be intimated to the Procurador Regio.

Loanda, May 6, 1863.

(Signed)

JOAO CANDIDO FURTADO D'ANTAS.

Sentence of the Relação.

It is adjudged in the session of the Court, &c., that the appellant was not aggrieved as appears by proceedings, whereas the witnesses produced have not deposed to any circumstance which might lead to the suspicion that the

defendants intended to be engaged in the Slave Trade, some going so far as to say that upon survey of the brigantine "*Laura*" they found no grounds of suspicion to that effect, and as regards the investigatory report as it is seen that there were taken into consideration several circumstances which appear immaterial in the opinion of this Court, and which it cannot consider as indicative of the crime of Slave Trade, such as for having carried from Havana to the River Congo a cargo of provisions which had been dispatched for St. Thomas', and, for the reason of the captain and mate remaining on shore sick in the Congo, when in a few hours they might come to Loanda in a steamer with a surgeon on board and meet every resource, because for these acts he is only responsible to the parties interested in the vessel and her cargo, but it cannot be said that they have anything to do with the crime of Slave Trade, neither can the fact of the master having entrusted his defence and that of the vessel to a person who has been engaged in the said Traffic be of any weight, as the character and antecedents of the attorney have nothing to do with that of his constituent, nor with the right which may be due to him. And as for the existence on board this vessel of a large stove they do not also consider it an object of suspicion, as those pointed out in No. 2 of Article IX of the Treaty of the 3rd July, 1842, celebrated between Portugal and England, for what is therein considered as an object of suspicion is a boiler of extraordinary dimensions or other cooking apparatus that may substitute it, in which case it is not the stove, which after all is nothing more than a kitchen; and in regard to the flying-deck for it to be considered an object of suspicion, according to No. 2 of the said Article, the circumstance alone of its existence on board any vessel is not sufficient, it must be larger than the common one usually on board vessels employed in licit commerce as it is declared in said number of that Article. Therefore they dismiss the appeal without costs as coming from the Procurador Regio.

Loanda, June 3, 1863.

(Signed)

FIGUEREDO.
JOAQUIM GUEDES.
GUEDES GARRIDO.

Appeal against this Judgment.

This appeal against the Judgment awarded by the Court of Relação of this district confirming the sentence of acquittal of the prisoners of the brigantine "*Laura*," that had been adjudged as a good prize by the Mixed Commission in virtue of the Treaty of the 3rd July, 1842, is now taken before the Supreme Court.

According to this Treaty and the Decree of the 14th September, 1844, the condemnatory Judgments of the Court of Mixed Commission and of the Tribunal de Prezas are sent with the prisoners to the Criminal Court, and serve as an indictment. Those Judgments contain, therefore, lawful presumption that the defendants navigating in the vessels condemned by them are liable to, and upon them fall the suspicions pointed out in the law of being engaged in the Slave Trade. The means by which the Mixed Commission and Tribunal de Prezas proceed to verify if in the captured vessels are found those objects, and the circumstances which, although before the Common Criminal Court, merely constitute suspicion of the Traffic, are, nevertheless, by virtue of the Treaty and the Decree of the 10th of December, 1836, and that of the 14th of September, 1844, considered as sufficient proofs for the condemnation of the vessel as engaged in the Slave Trade; such means are much more minutely and scrupulously observed in that Court to ascertain and obtain evidence of such proofs than in the preparatory and summary process to which the said Judgments serve as *corpo de delicto*; and besides this, those summary inquiries are no more than the repetition of the same depositions which had been the base of those Judgments, bearing in consideration not only that evidence, but the ship's papers, surveys made by proper persons, and several other circumstances. Now if the sentence condemning the vessel had not in itself, or did not constitute proof of suspicion for the preparatory proceedings against the prisoners, it would follow from this the absurdity that the thing material, insensible, and incapable of offence, such as the vessel, would suffer condemnation, as the vehicle or receptacle of the slave speculation, and would consequently be driven on shore and broken up, while the people who navigated and conducted her might, before the Criminal Court, be free from all suspicion of being engaged in such Traffic.

We have it for us that the law intending that such Judgments should serve as indictment for the preparatory proceedings in the Criminal Court before which the defendants are taken, had in view that they should, from their nature, afford sufficient proofs for the conviction, and that only by further proceedings should they be able, by clear and satisfactory proof, to destroy those indications and presumptions which, although serving only for committal in the Criminal Court, are before the Mixed Commission considered as sufficient for the condemnation and confiscation of the vessels containing those objects which by law constitute such indications.

The sentence is based on an expression in the Treaty, where it is said that the defendants are to be prosecuted and tried according to the laws of the respective nation, which undoubtedly refers to the form of proceedings, and to the penalty, but not that they should alter the intention and meaning of the law that the sentence of condemnation of the prize should contain and bear in itself the proofs for the prosecution in the preparatory proceedings of the Criminal Court.

The sentence, judging likewise of the objects of suspicion, as not acknowledging that their proof is already implied in the sentence of condemnation of the vessel, declared that in the dimensions of the stove and of the flying deck there were not such reasons of suspicion which, besides appearing to us not to be in good law (a point subject to the decision of that Court) we believe to be incorrect in view of the denomination of boards or planks and of cooking apparatus contained in the dispositions of the said Treaty, Article IX, Nos. 2 and 8, and to the list of Articles additional to the Decree of the 10th December, 1836.

For the reasons exposed, and principally for the supplement which we implore from the respectable Supreme Court, we hope to see annulled the Judgment appealed against in order that the prisoners of the brigantine "*Laura*," condemned as a good prize by the competent Tribunal, may be committed.

(Signed)

CARLOS BOTELHO DE VASCONCELLOS,

Procurador Regio in the Court of Relação at Loanda.

No. 61.

Her Majesty's Commissioner to Earl Russell.—(Received February 20, 1864.)

My Lord,

Loanda, December 31, 1864.

I HAVE the honour to report that no case has been brought for adjudication before the Court of Mixed Commission established in this city during the half-year ending this day.

I have, &c.

(Signed) W. VREDENBURG.

No. 62.

Her Majesty's Commissioner to Earl Russell.—(Received February 26.)

My Lord,

Loanda, January 8, 1864.

I HAVE the honour to transmit a translation of the Judgments of the Courts on the trial of the crew and passengers of the launch "E."

I have found these documents, in consequence of the technical language in which they are written, exceedingly difficult to translate, and have thought it advisable to forward certified copies, in Portuguese, of the original Judgments by the proper officer. One passage in the Judgment of the 1a Instancia is exceedingly obscure, so much so that even the President of the Court of Relação, whom I requested to explain it to me, was unable to give a satisfactory interpretation, and as the Judge who drew up the paper is no longer here I was unable to refer to him. I have marked the passage to which I refer with a line in the margin. The meaning I apprehend to be, that the passport having been granted to proceed to the Congo, on the arrival there of the person to whom it was given ceased to be an official document, and any subsequent falsification was simply a useless act, without any criminal character. Such might be the case *quoad* the Portuguese authorities, and had the person been tried for falsifying a passport it might be a good reason for acquitting him; but he was, on the contrary, tried for being engaged in the Slave Trade, and the argument, so far from being in his favour, was much against him, for a person does not alter a useless document without a motive, and the motive in this case was clearly to mislead the Commanders of any of Her Majesty's ships into whose hands the passport might fall.

The Judgment of the Court of Relação was not given on the merits of the case, but on the ground that the appeal had not been lodged within the time required by law.

The deputy of the Procurador Regio having stated publicly that he intentionally omitted to appeal because he considered the condemnation of the vessel iniquitous, the Governor-General immediately suspended him.

No practical result can ensue from the appeal, either in this case or that of the "Laura," as Senhor Miranda, the principal offender, and owner of the launch "E," is dead, and the crews of both vessels dispersed.

I have, &c.

(Signed) W. VREDENBURG.

Inclosure in No. 62.

Judgments of the Courts of the First and Second Instancia on the Trial of the Crew and Passengers of the launch "E," and Appeal of the Procurador Regio to the Supreme Court in Lisbon.

(Translation.)

OWING to the impossibility of obtaining the evidence of the two witnesses mentioned by the first and seventeenth, in consequence of their being in places where there are no authorities to proceed to such inquiries, and because the circumstance to which they can depose is not essential, as appears by the other depositions and the contents of the process, and having in view the Decree of the 2nd July, 1848, which obliges me to close the inquiries within thirty days, I now conclude them, and see from the charges made and other proceedings that no offence is proved against the prisoners belonging to the crew and Cabenda men of the launch "E," nor against the passengers Manoel Martins Barboza and Francisco Antonio Pereira de Lemos, nor against the owner of the said launch, whoever he may be, of being engaged in the Slave Trade on the high seas, or of connivance therein; whereas in view of the Decrees of the 10th December, 1836, and of the 14th December, 1854, Penal Code Article 18, and other analogous laws, and of the circumstance that the indictment itself implies not necessarily the existence

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of such crime in the case of the launch "*E*," but a possibility or suspicion of it, no crime has been committed, and the inquiries do not point out any guilty person. Neither does the falsification of the official document (the passport) prove culpability against any of the prisoners according to the examination *F* and the inquiries; and the circumstance of that document being a passport to proceed simply to the Congo not having been observed to be falsified by the police authorities when taken from this port should not be disregarded; and there being in the Congo no authority to receive it, it may be considered an official document of that description on the return of the passenger who took it to the Congo, but to which no official or political authority was attached for the return, and therefore a useless paper existing in the passenger's trunk without any character, as there is not and was not any person in the Congo to receive it, a circumstance which, according to the cited Article 18, is not considered a crime unless it be proved that those three words were unduly inserted at the time when the paper was an official passport for the purpose of enabling the passenger to proceed to the Congo.

In accordance, therefore, with Article 996 of the "*Novissima Reforma Judicial*" I adjudge that the said prisoners of the launch "*E*" be released from prison and restored to their liberty, and that this be notified to both parties, who may appeal, if they wish, in the terms of the law.

Loanda, January 15, 1863.

(Signed) LUIS CARLOS GUEVEIA DE MIRANDA.

Judgment of the Court of Relação.

It is adjudged in session of the Court, &c., that the appellant was not aggrieved by the sentence against which he appeals. Whereas the appellant, wishing to appeal against the sentence of acquittal, only gave notice after the expiration of the peremptory and fatal delay of five days fixed for such appeals by Article 996 of the "*Novissima Reforma Judicial*;" nor can he take advantage of the "*restituição in integrum*," nor of the argument that he pretends to found on the Decrees of the 10th December, 1836, and of the 14th September, 1844. Whereas as regards the "*beneficio de restituição*" granted to minors, it is certain that it is also due to the State (L. 4, "*Cod. quibus ex Causis Majores vertit*," e L. 3 "*Cod. de Jure Reipublicæ*"), but only in such cases as it is accorded to minors, and to them such benefit is denied in prosecutions for penalties; and to repeat the Judgment for injuries ("*e para repetir o juizo das injurias*") when once omitted or lost, the present case, as clearly expressed in L. 37, § 1, tit. "*De Minorib.*," and L. 18 "*Quibus ex Causis Majores vertit*;" and this is the law in vigour in the kingdom, as attested by Febo, part 2, avert. 139; Guerreiro, Tr. 3, L. 5, cap. 11; 181 *Lina a Ord.*, L. 4, tit. 79, § 2, N. 150; and Silva a *Ord.*, L. 3, tit. 41, prin. N. 26; the whole having been recently acknowledged and well demonstrated by the Procurador da Corva in the Circular Order No. 410 of the 22nd August, 1850, charging the Procuradores Regios to impress on their deputies the necessity, on their personal responsibility, of always presenting their appeals within the lawful term when there are just grounds for so doing.

And as regards Article 21 of the Decree of the 10th December, 1836, declaring that there is no prescription for the special cognizance of the crime of Slave Trade and application of the penalties, this can only be understood in the sense that the proceedings can be commenced at any time, but was never intended to imply that the time fixed by the laws for the prosecution of appeals after the commencement of proceedings was unlimited, nor yet for claiming the said benefit because of such proceedings being opposed to the common rules of right, or, in other terms, that benefit being a privilege, its application can only be confined to such cases and in the terms expressly determined by law: "*quod contra rationem juris introductum est non est producendum ad consequentiam*," L. 141 de Reg. juris E. do D of the 14th September, 1844, and § 4 of Article 353 of N. R. Judicial, imposing on the public prosecutor the obligation of appealing against all Judgments in cases of contraband. It can only follow from this, that if he does not appeal he will be responsible for neglect of duty, but it does not follow that the term that the law declares to be fatal shall cease to run, and the sentence come into force after its expiration; otherwise the law would have so stipulated, as it did in the case of condemned criminals, and not in favour of the public service.

Therefore we reject the present appeal, without costs, the public prosecutor being exempt therefrom.

Loanda, May 23, 1863.

(Signed) FIGUEIREDO.
J. GUEDES.
FURTADO D'ANTAS.

Appeal of the Procurador Regio to the Supreme Court, Lisbon.

The present appeal is submitted to the Supreme Court, there to have decided the points in controversy, that is to say, whether in criminal cases the "*restituição*" for lapse of time belongs or not to the State. The Judge in the First Instance, as well as the sentence in this Court of Relação, pretend that the intention of Article 683 of Nova Reforma Judicial does not apply to criminal cases, the which coming under the title of general resolutions we believe there is no reason to exclude its application in either of the two cases, whether in the cases of legal impediment being proved, or the "*beneficio de restituição*" being based on law; thus it is clear that it is not a question of "*restituição in integrum*" for cause of injury, but of "*restituição*" for the appeal for lapse of time. We are evidently in the second of these alternatives, as it is not a case in which it is necessary to prove legal impediment, but one of invoking the benefit of a right in our opinion belonging to the State, of interposing appeals either in civil or criminal cases. The application of Roman texts to deny the State such "*restituição*" in criminal matters appears to us to be twisting and restricting those laws too much, in which not a hint appears which may authorize arguments of such a nature. We consider as very judicious the reasons set forth in the note to the cited Article of the "*Reforma*," from which we conclude that this point was considered at the bar as received, and that only then was the question opened and a doubt raised. We find of great weight the reason with which the learned commentator ends the said note, "*that whatever amount of favour may be shown to criminals in criminal matters, their private interest should yield in public crimes to the general welfare of society*;" and in truth it is repugnant to our feelings to see a criminal frequently atrocious and inhuman more favoured than public order and the common good, which depends much on not allowing criminals to leave the tribunals unpunished and arrogant, having taken advantage for their success of a casualty or omission, which should not in good reason be used to the prejudice of the State and society.

Your Majesty will decide which is most just and right.

The Procurador Regio of the Court of Relação, Loanda,

(Signed) CARLOS BOTELHO DE VASCONCELLOS.

No. 63.

Her Majesty's Commissioner to Earl Russell.—(Received March 29.)

My Lord,

Loanda, January 10, 1864.

I HAVE the honour to forward the joint Report which, in conformity with Article XI, Annex B, of the Treaty with Portugal for the suppression of the Slave Trade, has been prepared by the Portuguese Acting Commissioner and myself for transmission to our respective Governments.

I have, &c.

(Signed) W. VREDENBURG.

Inclosure in No. 63.

Report of the Mixed Commission for the year 1863.

THE British and Portuguese Mixed Commission established in the city of Loanda has the honour, in conformity with Article XI, Annex B, of the Treaty of the 3rd July, 1842, celebrated between Great Britain and Portugal for the suppression of the Slave Trade, to present the following report of all cases which have been brought before it for adjudication between the 1st October, 1862, and the 31st December, 1863.

1. The Portuguese launch "*E*," the black José Cabinda being master, proceeding from the Congo with 5 blacks on board, consisting of 1 man, a boy 14 years old, 2 women, and a girl of 8 years, the whole unprovided with passports.

This launch was detained on the 2nd November, 1862, about twelve miles to the south of Mangue Grande, by Commander Sholto Douglas, of Her Britannic Majesty's ship "*Espoir*," and brought before this Court for adjudication on the 4th of that month.

The principal grounds on which Commander Douglas detained the launch were the efforts that were employed to escape, oars being used as well as sails; there being 5 slaves on board without passports, and a large quantity of provisions not manifested, being more than was necessary for the subsistence of the crew, and consisting of beans, farinha, ground nuts, &c.; and finally suspecting that the launch, from the course she was steering and her manœuvres, was bound to the notorious slave-port Mangue Grande, while, on the contrary, the owner and crew said she was bound to Loanda. There were in the launch, besides the slaves and nine Cabindas composing the crew, two Europeans, who came as passengers; one of whom, Manoel Martins Barboza, declared that he was owner of the launch, the other, Antonio Pereira de Lemos, stated that he was owner of the cargo.

The captor delivered to this Commission all the papers, documents, and letters found on board, with an inventory of the cargo, money, &c. In session of the 7th November he ratified on oath his declaration of capture. The usual notices were issued, and in due time the two passengers appeared and appointed a proctor to act on their behalf. The captor also appointed a proctor, and the proceedings commenced.

The evidence of the captor was taken on oath in the session of the 8th November, and in subsequent sessions the evidence of the passengers, the crew, and the slaves was received.

The Commission having thought it necessary to open certain letters found on board intimated to the persons to whom they were addressed that they should appear on the 14th to assist at the opening of the same.

Some of them appeared in person, and presented a written protest which the Commission declined to receive; they then retired and the letters were opened in their absence.

On the 17th November the Commission ordered a survey on the launch and cargo; and the 26th being appointed for giving judgment, the proctors of the parties attended and addressed the Court, and judgment was given condemning the launch "*E*" as good prize, together with her cargo and all articles found on board. The prisoners were delivered to the Portuguese authorities, and certificates of freedom given to the slaves.

An incident occurred during the proceedings that this Commission think advisable to mention. In a despatch of the 11th November the French Consular Agent in this city claimed, on behalf of a Frenchman residing in the Congo, an amount of more than 2 contos of reis, which he stated were the property of the Frenchman, and had been entrusted to Pereira de Lemos for conveyance to Loanda. The Commission replied that in due time they would take his claim into consideration, and ordered it to be annexed to the proceedings. The launch "*E*" having been subsequently condemned, a copy of the Judgment was sent to the French Consular Agent.

2. The Portuguese brigantine "*Venus*" was detained on the 2nd February by Lieutenant-Commander Allingham, of Her Britannic Majesty's ship "*Antelope*," and submitted to the Mixed Commission on the 4th of that month.

This vessel had no slaves on board, but was suspected by the captor of being engaged in the Slave Trade for the following reasons:—

First. Because, though bound from Havana to Loanda with a general cargo, the captain would neither show his clearance from the Custom-house at Havana, nor his log-book, and the papers that were found did not appear legal. Among other irregularities it was observed that the name of the captain was not the same in different papers, nor even his own signature: in some papers he was called Antonio Pinto da Souza Carvalho, in others Pinto; in others this was substituted by Perito.

Secondly. Because the captain was recognized as having been formerly mate of a notorious slave-ship named "*Itha da Cuba*," which sailed under the American flag.

Thirdly. Because the ship had a flying deck, separated by a partition.

And lastly. Because when she was seen she was going towards the Congo, instead of in the direction of Loanda, which was the port of her nominal destination.

The Commission met on the 6th February, and received the evidence on oath of the captor, who also ratified his declaration of capture. The usual notices were issued, calling on the parties interested to appear before the Commission in eight days. The captain also appeared, with a certain Don Diego Huerta, who claimed to be the owner of the cargo. They appointed a Proctor, as did the captor.

A survey was held on the ship and cargo, the latter consisting of rum, rice, and various small articles. The

proceedings followed the usual course, and on the 23rd of the same month the Proctors of the parties addressed the Court for their respective clients, and the Court declared the "*Venus*" a bad prize, and ordered that she and her cargo should be restored to their owners, but without any right to indemnity, in consequence of the irregularities in the papers, especially the want of uniformity in the name of the captain, which led the captor into error, and induced him to detain the ship, and bring her before the Mixed Commission.

3. The Portuguese brigantine "*Laura*," captured by Commander Hoskins, of Her Britannic Majesty's ship "*Zebra*" on the 13th of February while at anchor at Porto da Lenha, in the River Congo, and brought before this Commission on the 24th of that month.

No slaves were found on board this ship, but the captor gave the following reasons for detaining her:—

That the papers presented by the person who said he was the captain were insufficient to prove her nationality:

That the ship, though she cleared from Havana for the Island of St. Thomas, as shown by the bills of lading, although she passed in its immediate vicinity, did not touch at that port, where she might have obtained legal papers from the Portuguese authorities:

That among the officers and crew there did not appear one who was really a Portuguese subject:

That the log-book was not exhibited on demand, nor was it found among the papers:

That the vessel had aft a flying-deck separated from the cabin by a moveable bulkhead, which had been recently removed five feet towards the stern, thus enlarging the deck, which was ventilated by a portion of the skylight of the cabin, as is usual in slave-ships, for the stowage of women and children:

Finally, that the person who first presented himself, stating that his name was José Lucas, and that he was captain and owner, when confronted with Lieutenant Allingham, of Her Britannic Majesty's ship "*Antelope*," confessed that he was not the person he had represented, and that his name was Vital Pereira de Miranda.

On the same day, 24th February, the captor ratified on oath his act of capture and declaration. The usual eight-day notices were issued, and in due time Vital Pereira de Miranda, representative of the real captain and owner, José Lucas, presented himself, and appointed a Proctor, as did the captor.

In session of the 26th February the Court received the depositions of Vital Pereira de Miranda, of the second mate, the boatswain, and a boy. A survey was held on board on the 27th February. The sailing-chart was examined on the 5th of March. The proceedings continued in regular form, and judgment was given on the 17th of that month, on which occasion the Proctors presented their arguments in writing, which were added to the documents in the cause, and the "*Laura*" was declared a good prize, and condemned, with all articles on board, and the crew placed at the disposal of the Governor-General of the Province.

State of the Libertos,

There existed in charge of the Board of Superintendence on the 31st December, 1861 ..	63
Since released from launch " <i>E</i> "	5
	68
Died during the years 1862-63	10
Absconded	2
Total on the 31st December, 1863	56
	68
In the employment of the Provincial Government	23
Ditto of private persons	33
	56

They all received proper treatment, those in the employment of the Provincial Government being occupied on public works, and the others employed by private persons in domestic service.

Loanda, January 9, 1864.

(Signed)

JOSE BAPTISTA D'ANDRADE,
Governor-General.

W. VREDENBURG.

No. 64.

Her Majesty's Commissioner to Earl Russell.—(Received March 29.)

My Lord,

Loanda, January 11, 1864.

I HAVE the honour to transmit the copy of a despatch which I addressed to Captain John Bythesea, V.C., of Her Majesty's ship "*Archer*," Senior Officer of the South Division, directing his attention to the active state of the Slave Trade on the coast of Benguela during the greater portion of last year, and suggesting that a cruiser should for some time be stationed on that part of the coast.

On Saturday evening last my colleague the Brazilian Consul told me that information had reached him to the effect that a vessel had recently left the neighbourhood of Novo Redondo with 500 or 600 slaves. Whilst we were conversing on the subject the Governor-General entered the room and afforded us an opportunity of mentioning the circumstance to him. His Excellency, with his usual candour, admitted that he also had received information that some vessels had taken slaves from Benguela; that he had required explanations from the Governor of that province, who denied the fact, declared that the reports were false, and that, as the bays and harbours were constantly visited by boats from Her Majesty's ships, no slave-ship could get away. I pointed out to his Excellency that that statement

was false, as no British cruizer had been stationed to the southward since the "Griffon" left there in the month of August. I repeated to his Excellency what I had previously frequently mentioned to him, that the Governor of Mossamedes had told Commander Perry that, at least, one slave-ship had left the coast monthly since the commencement of the year. The Governor-General then replied that the Governor of Mossamedes had also written to him, and that he had sent the whole of the correspondence to Lisbon: he added that he thought there was great exaggeration in these reports; that he did not think it possible to ship slaves between the town of Benguela and Loanda, as there were authorities all along the coast; but between Benguela and Mossamedes it was easy to do so, as the coast was uninhabited, with the exception of a plantation here and there. These isolated plantations, as I observed, were exactly the places that would be selected for collecting and shipping slaves without fear of interruption.

I would not, except on proofs of the clearest and most evident description, accuse a person so high in the confidence of the Portuguese Government as the Governor of an important Colony, of connivance at the criminal speculations of the slave-traders; but if, as is generally affirmed, and I most conscientiously believe, large numbers of slaves have been expatriated from the province of Benguela, the Governor may be fairly charged with the guilt of culpable negligence and indifference.

I purpose, with your Lordship's sanction, if my duties will permit my temporary absence, and I can obtain a cruizer to take me down, to visit in person the provinces of Benguela and Mossamedes in the month of April or May, for the purpose of obtaining, if possible, some certain information as to the state of the Slave Trade in those districts.

I have, &c.

(Signed) W. VREDENBURG.

P.S.—The duplicate is sent under flying seal to Sir Arthur Magenis.

W. V.

Inclosure in No. 64.

Her Majesty's Commissioner to Captain Bythesea.

Sir,

Loanda, December 21, 1863.

FROM information which has been communicated to me, I have reason to believe that, during the greater portion of this year, the Slave Trade has been in a state of great activity on the coast to the southward of this port. There has been latterly a cessation of that Traffic in consequence of the dealers in Cuba having neglected to pay for the slaves that they have received, and also on account of the death of Senhor Ignacio, the notorious slave-trader at Equimina; but there can be but little doubt that some person will soon replace him, and that the shipment of slaves will recommence with renewed vigour.

Should the state of the service permit it, I take the liberty of suggesting that a cruizer should immediately be sent to the South to cruise off the coast of the province of Benguela, particularly between Novo Redondo and Cape Martha, and that for some time a vessel should always be stationed on that part of the coast.

I am most anxious to visit the provinces to the south for the purpose of seeking personally for information on these matters, but I fear that my duties here will not permit my leaving before the beginning of April. I should be obliged if you would at that time place a vessel at my disposal for the purpose of conveying me to the places I am desirous of visiting.

I have, &c.

(Signed) W. VREDENBURG.

No. 65.

Her Majesty's Commissioner to Earl Russell.—(Received April 4.)

My Lord,

Loanda, February 8, 1864.

WITH reference to my despatch of 1st of September, 1863, I have the honour to report to your Lordship the information that has been this morning verbally communicated to me by the Governor-General respecting the blacks found on board the brig "Julio" when visited by a boat from Her Majesty's ship "Zebra."

The Governor of St. Thomas has reported to his Excellency that ten libertos only presented passports on the arrival of the vessel at St. Thomas; but an endeavour was made to land four whose names had been placed on the crew list, on the pretence that they wished to leave the sea, and work on shore; this proceeding the Governor

refused to sanction. He sent for the blacks and asked them if they were free; they replied that they did not know: thereupon the Governor declared that they must either proceed to Lisbon in the vessel or be landed as free men. The latter alternative was adopted; the men were landed, and subsequently enlisted in the Portuguese army.

Your Lordship will observe that the above statement does not explain the presence of the passports that were presented to the visiting officer of the "Zebra." I can offer no satisfactory explanation of the circumstance; it is possible that false passports were kept for presentation to the officers of Her Majesty's ships, but as that proceeding could not be safely adopted with the Portuguese authorities, the names were placed on the crew list; it is also possible that the visiting officer was mistaken. What may be the true explanation I know not, but the result of my interference has been that four men, whom it was the intention of some slave-trader to smuggle into St. Thomas and reduce to slavery, have been released and placed in freedom.

I have, &c.
(Signed) W. VREDENBURG.

No. 66.

Earl Russell to Her Majesty's Commissioner.

Sir,

Foreign Office, April 5, 1864.

I HAVE received your despatch of the 11th of January last, relative to the Slave Trade which is carried on from the Portuguese possessions to the southward of Loanda, and inclosing a copy of a letter addressed by you to Captain Bythesea of Her Majesty's ship "Archer" on this subject.

I have to acquaint you that I approve your communication to the Commander of the "Archer," and I also approve of your proposed visit to the South Coast.

You will, during your expedition, use your best endeavours to find out the exact localities from whence slaves have been shipped, and the parties engaged in the shipments, and you will omit no effort to bring them to punishment.

You will also furnish me with a full report of your proceedings.

I am, &c.
(Signed) RUSSELL.

No. 67.

Her Majesty's Commissioner to Earl Russell.—(Received April 26.)

My Lord,

Loanda, March 7, 1864.

I HAVE the satisfaction of reporting to your Lordship the capture, in the early part of last month, of a brigantine fully equipped for the Slave Trade, by Her Majesty's ship "Griffon."

I have had no communication with the Commander of the "Griffon," but from intelligence which has reached this city, there appears no doubt that she was the "Venus," a vessel brought before the Mixed Commission last year, and released by that tribunal. I have already had the honour of forwarding to your Lordship a report on that case.

I have further the satisfaction of reporting the capture on the 26th of last month of the Spanish brigantine "Virgen del Refugio" by His Most Faithful Majesty's schooner "Napier." She was taken at anchor on the coast of Benguela, near the River Tapado. The case is now pending before the Tribunal de Prezas, and as the prize had her slave-deck laid and her water on board, it is certain that she will be condemned. The captain has hitherto refused to compromise any of the parties engaged in this transaction, but I will have the honour, when I send the Judgment of the Court, of transmitting also all the information I can collect.

Both of these vessels sailed from Cadiz. The "Venus" destroyed her papers, but the "Virgen del Refugio," it appears, cleared for a coasting voyage.

I have, &c.
(Signed) W. VREDENBURG.

No. 68.

Her Majesty's Commissioner to Earl Russell.—(Received May 19.)

My Lord,

Loanda, March 14, 1864.

I HAVE the honour to acquaint your Lordship that I yesterday received a confidential note from the Governor-General, informing me that he had the previous day received information that on the 23rd February the American brigantine "*Myra*" had entered the port of Mossamedes. Although her papers were correct and she was ostensibly fitted out as a whaler, his Excellency thought from her size and other circumstances, that there was every probability of her being destined to be employed in the Slave Trade.

The Governor-General states that His Most Faithful Majesty's ship "*Sá da Bandeira*" received no instructions when she left this port to watch the "*Myra*," as her arrival was not then known, and suggests that one of Her Majesty's cruisers should go to the southward with that object. I immediately communicated the contents of his Excellency's note to Commander Perry, the senior officer of this division of the squadron, and that officer declared that he would go himself and look after that vessel.

I have, &c.

(Signed) W. VREDENBURG.

No. 69.

Her Majesty's Commissioner to Earl Russell.—(Received May 19.)

My Lord,

Loanda, March 15, 1864.

I HAVE the honour to transmit a translation of the Judgment of the Prize Court in the case of the Spanish brigantine "*Virgen del Refugio*," the detention of which vessel by His Most Faithful Majesty's schooner "*Napier*" I had the honour of reporting to your Lordship in my despatch of the 7th instant.

Your Lordship will observe that the proofs of her intention to engage in the Slave Trade were too clear and manifest to admit of any chance of her escaping condemnation; the captain, moreover, confessing on his examination, that he had left Cadiz under the pretence of making a coasting voyage to Villa Garcia, but that his real destination was the African coast, with the object of shipping a cargo of slaves. He steadily declined to divulge the names of the owners of the vessel, limiting himself to the statement that they resided in Cadiz and the neighbourhood, and he also refused to mention the names of the persons who were to provide the cargo, relating the very improbable story that it was his intention to offer his vessel to any one who was desirous of shipping slaves and might require his services. He and the rest of the crew are in jail, and will be brought to trial.

Another case has arisen closely connected with the foregoing. Although the law requires that no slaves shall be embarked without passports, great laxity exists in this respect as regards the small coasting craft. Shortly before the capture of the "*Virgen del Refugio*," a launch with twelve or fourteen blacks on board left Benguela for Egypt, near which place the brigantine was captured. The master of the launch was found on board when she was detained, and the launch returned to Benguela. The captain of the "*Napier*" thinking the matter suspicious, and that the evidence of the blacks on board the launch might be important on the trial of the brigantine, sent her to this port. On her arrival she was apprehended, and many of the slaves on their examination stated that they had just been purchased, and were even ignorant of the names of their owners. There is every reason to suppose that they were intended for shipment on board the "*Virgen del Refugio*." The case will be tried before the proper tribunal, and the launch will probably be condemned, and liberty given to the slaves. I will not fail to inform your Lordship of the result.

These proceedings go far to prove what I have so frequently asserted, that for some time the Slave Trade has been carried on on a large scale in the district of Benguela.

I have, &c.

(Signed) W. VREDENBURG.

Inclosure in No. 69.

Judgment in the case of the Spanish brigantine "Virgen del Refugio."

(Translation.)

IT appearing by the declaration of capture that on the 26th of February last the Portuguese schooner of war "Napier" met and detained the Spanish brigantine "*Virgen del Refugio*," anchored about half a mile from the coast of the Portuguese possessions in Western Africa, in latitude 11° 45' south, near the River Tapado, in consequence of having found on board the following indications that she was engaged in the Slave Trade:—

1. A black woman and two boys without passports, nor any other documents to authorize their presence there;
2. A large number of casks filled with water in a much larger quantity than was necessary for the crew and passengers;
3. A flying-deck of planks fixed above the hold;
4. A portion of prepared planks;
5. A large boiler placed on a stove large enough to cook for 200 persons, in addition to the regular kitchen for the crew;
6. A large number of bags containing rice and vegetables under the flying-deck, without any document being presented to legalize their presence; and it appearing from the deposition of the captain of the captured brigantine, that instead of going from Cadiz to Villa Garcia on a coasting-trade, as he should have done according to the passport and bill of health found on board, he came to the coast of Africa with the intention of engaging in the Slave Trade if he could find any one desirous of availing himself of the brigantine for that purpose; and finding himself off Santa Maria, a port on the coast to the south of Benguela, he there met a Cabenda man, the master of a launch, who informed him that in the neighbourhood of Egypto there were slaves ready for shipment, he consequently went to that place and was captured; that in the Bay of Santa Martha he bought the above-mentioned blacks; that when he left Cadiz he appeared fictitiously as a passenger, as did also five other individuals who appear as such in the bill of health; there appearing as captain on the passport, bill of health, and crew list, Antonio Gallianna, who was only the mate of the deponent, and that those others who appear as passengers in the documents were in reality a part of the crew, and that that course was adopted because by the laws of his country it is not permitted to engage a crew of more than six for a coasting voyage; that on the occasion of his capture he gave the name of Antonio Gallianna as being the one that appeared as captain in the papers, and that the true Gallianna took the name of deponent and appeared as a passenger; that he had no cargo-book nor manifest, nor log-book, nor any document legalizing the presence of the cargo and passengers on board beyond the royal passport, the crew list consisting of six persons, and the bill of health, including them and the other six who appeared as passengers; that he would name neither the consignors of the cargo nor the owners of the vessel, as he did not wish to compromise them, limiting himself to saying that they were all Spaniards living in Cadiz and the neighbourhood, with which in part agree the other deponents from among the crew; and it appearing finally from the act of survey that there existed a flying deck from the cabin to the fore-castle, and another in the cabin separated from the hold by a moveable partition, and a number of other planks prepared to form another flying deck, a large boiler placed on a stove and ready for use, and of a capacity to cook at one time enough for 300 persons in addition to the ship's galley, a large number of casks of water far beyond the necessities of the crew, a grating placed over the main-hatch, and a large amount of provisions, and considering that the objects referred to found unlawfully on board the captured vessel are proofs classified by the Decree of the 10th December, 1836, and that the same were destined for the Slave Trade, and considering the other dispositions of that Decree and of that of the 14th September, 1844; they adjudged the above-mentioned brigantine "*Virgen del Refugio*," a good prize, declare the three blacks found on board free; that letters of freedom be given to them, and that they be placed at the disposal of the Governor-General of the Province; and they order that a copy of this Judgment, and all the persons found on board be placed at his disposal, and that an inventory of the cargo and ship be taken in conformity with the law.

Loanda, March 9, 1864.

(Signed)

MOTTA.
J. GUEDES.
FIGUEIREDO.

No. 70.

Earl Russell to Her Majesty's Commissioner.

(Extract.)

Foreign Office, May 30, 1864.

I HAVE received your despatches of the 7th and 15th of March last, relating to the capture of two vessels fully equipped for the Slave Trade, one (a brigantine) by Her Majesty's ship "Griffon," supposed to be the "*Venus*," a vessel seized last year by one of Her Majesty's cruisers, but released by decision of the Mixed Commission Court at Loanda; the other the Spanish brigantine "*Virgen del Refugio*" captured by the Portuguese schooner of war "Napier" whilst at anchor off the coast of Benguela on the 26th of February last.

It seems pretty clear from your despatches, coupled with the reports that have reached Her Majesty's Government from other sources, that the export of slaves from the Portuguese dominions to the southward of Loanda has been carried on to a very considerable extent during the last year, and that there must be some persons engaged in organizing this traffic resident in the Portuguese Possessions.

You are probably aware that the export of slaves from the Portuguese possessions in Angola was put a stop to on a former occasion by the expulsion from those possessions, on demand of Her Majesty's Government, of Senhors Flores and Garrido, two notorious slave-dealers. These individuals were subsequently allowed to return to Loanda, one of them, Senhor Flores, having received from the Portuguese Government a large grant of territory in the neighbourhood of Benguela to enable him to work some rich copper-mines said to have been discovered in that neighbourhood.

From the Reports received by Her Majesty's Government, it would appear that these mines have not turned out so profitable as was expected, and as it is from the coast in the vicinity of Benguela that shipments of slaves are stated to have been effected, it is quite possible that the facilities afforded by the assemblage of a considerable number of slaves in the neighbourhood of the mines may have induced the parties engaged in working them to make up for the unprofitableness of their mining speculations by taking to the more lucrative Traffic in Slaves. The recent capture of the Spanish brigantine "*Virgen del Refugio*" off the coast of Benguela would also serve to strengthen this suspicion.

I have accordingly to desire that you will use your best endeavours to ascertain who the parties are that are engaged in these slave-trading transactions, in order that Her Majesty's Government may demand their expulsion from the Portuguese possessions in Angola.

I need scarcely point out to you, that in order to enable Her Majesty's Government to act in this matter, it will be necessary that your information should be well authenticated.

No. 72.

Her Majesty's Commissioner to Earl Russell.—(Received June 3.)

My Lord,

Loanda, April 10, 1864.

I HAVE the satisfaction of reporting to your Lordship that Commander João Baptista Garção, of His Most Faithful Majesty's ship "*Sá da Bandeira*," who relieved in the month of January Commander Simas, of the "*Sagres*," as Senior Officer of the Portuguese squadron, has shown since his arrival considerable energy and activity, and has on all occasions expressed his determination, so far as he is able, to put a stop to the Slave Trade. He was kind enough to inform me a few days ago that it was in consequence of communications that I had made to him that he dispatched the "*Napier*" to the coast of Benguela, which resulted in the capture of the Spanish brigantine "*Virgen del Refugio*."

I have, &c.

(Signed) W. VREDENBURG.

No. 73.

Her Majesty's Commissioner to Earl Russell.—(Received June 3.)

My Lord,

Loanda, April 18, 1864.

I HAVE the honour to acquaint your Lordship that I was last night informed by the Governor-General that the Governor of Benguela had written to him to request that he might be superseded. His Excellency had a few days before mentioned to me that he thought that that functionary would be either removed or dismissed. He had himself probably arrived at the same opinion, and thought it more judicious to resign voluntarily than await his dismissal, which must inevitably have been the result of his culpable negligence, to use no harsher term, in permitting the Slave Trade to be carried on, on so vast a scale, in the district under his jurisdiction.

I have, &c.

(Signed) W. VREDENBURG.

No. 74.

Earl Russell to Her Majesty's Commissioner.

Sir,

Foreign Office, June 23, 1864.

WITH reference to your despatch of the 20th May, 1863, I have to acquaint you that I instructed Her Majesty's Minister at Lisbon to bring to the notice of the Portuguese Government the difference which had arisen between you and your Portuguese colleague upon the question whether the captor's expenses in

CLASS A.

M

bringing to adjudication the Portuguese slave brigantine "*Laura*" should be paid out of the proceeds of the sale of that vessel before such proceeds were divided between the British and Portuguese Governments or not; and I now transmit, for your information, copies of a despatch, and of its inclosures, from Sir A. Magenis,* by which you will perceive that the Portuguese Government concur in the view taken by you of this matter, and that instructions in conformity therewith have been given to the Portuguese Commissioner.

I am, &c.
(Signed) RUSSELL.

No. 75.

Her Majesty's Commissioner to Earl Russell.—(Received June 29.)

My Lord,

Loanda, May 3, 1864.

I HAVE the honour to report to your Lordship that on the 25th April Her Majesty's ship "*Lee*" arrived at this port with a small fore and aft schooner, under the Portuguese flag, which she had detained in the vicinity of Mangue Grande on suspicion of being engaged in the Slave Trade. Proceedings have been commenced before the Mixed Commission, but the only evidence received to the present time has been that of the captor, the Court having adjourned until the period shall have elapsed for the return of the monition.

I am unable at present to form any opinion of the case on its merits; but as the master hitherto has produced no papers whatever to justify the use of the Portuguese or any other flag, the case is not, I am disposed to think, within the jurisdiction of the Mixed Commission. She is without doubt, however, a good prize as a vessel navigating without legal papers, but should, I apprehend, have been sent for trial before a Vice-Admiralty Court.

I have, &c.
(Signed) W. VREDENBURG.

No. 76.

Earl Russell to Her Majesty's Commissioner.

Sir,

Foreign Office, July 16, 1864.

I TRANSMIT to you herewith, for your information, the accompanying copy of a despatch from Her Majesty's Minister at Lisbon,† inclosing a copy of a note from the Portuguese Minister for Foreign Affairs, announcing the appointment of Senhor Bernardo Soares Vieira da Motta to the post of Arbitrator in the British and Portuguese Mixed Commission Court at Loanda, and of M. Antonio Casimiro d'Almeida to that of Clerk in the said Mixed Commission Court.

I am, &c.
(Signed) RUSSELL.

No. 77.

Her Majesty's Commissioner to Earl Russell.—(Received September 2.)

(Extract.)

Loanda, June 20, 1864.

I HAVE the honour to transmit a Report on the case of the schooner "*Congo*," the detention of which vessel by Lieutenant Foot, of Her Majesty's ship "*Lee*," I reported to your Lordship in my despatch of the 3rd May.

The "*Congo*" has been released as a bad prize, in consequence of the clear proofs that she was, when captured, engaged in legal trade; but a question of some importance arose during the trial. As the "*Congo*" was unprovided with papers of any class or description whatever, it appeared to me that she had no right to claim Portuguese nationality; and it was my opinion that the Mixed

* Class B, No. 133.

† Ibid., No. 140.

Commission had no jurisdiction in the case, but that the prize should be restored to the captor, to enable him to send her for trial before a tribunal competent to try a case arising from a breach of international law. The Governor-General, as Acting Portuguese Commissioner, held the contrary opinion; and the Acting Portuguese Arbitrator, who had been chosen by lot, having been called in, maintained the views of the Governor-General, in a written opinion, which your Lordship will find translated at length, with some observations thereon, which I have taken the liberty of appending. As the point is one of some importance, I have also, to avoid probable errors of translation, the honour to inclose copies of their opinions, as written by them in Portuguese.

The question of jurisdiction is not one which it would be advisable to raise under ordinary circumstances; but the coast swarms with vessels of the class of the "Congo," in the service of the Slave Traders; they are employed in conveying slaves to the rendezvous, or on board the vessels in which they are to be shipped, and avoid the vigilance of Her Majesty's cruisers, by navigating at night, or close to the shore. They are owned by Portuguese, but have no papers, and generally use the Portuguese flag when they have nothing on board, which might be evidence to condemn them. They are also too insignificant to justify the Commander of a man-of-war in sending an officer and prize crew to St. Helena or Lagos; and I thought that if there existed here a tribunal with the jurisdiction of an Admiralty Court, they might conveniently be captured, even when empty, and sent here for trial for navigating in violation of the law of nations. It appears that there does exist here a Court possessing such jurisdiction; but if the opinion of the Acting Portuguese Arbitrator—who is the President of that Court—be accepted as a correct exposition of the law of nations, it would be useless to send them to this port with any hope of their condemnation. His opinion, also, if acted on, will limit considerably the usefulness of the Portuguese squadron, in the case of slave vessels using illegally the flag of a nation with which Portugal has no Treaty, if the flag and ownership alone are considered as conclusive proofs of nationality.

Inclosure in No. 77.

Report on the case of the schooner "Congo," detained by Lieutenant C. E. Foot, Commanding Her Majesty's ship "Lee," and tried before the British and Portuguese Mixed Commission established at Loanda.

THE "Congo" was detained on the 23rd April in the neighbourhood of Mangue Grande and brought to this port on the 25th. On that day the captor informed the Secretary of the Mixed Commission of the circumstance, and the Court met on the 27th, when the papers found on board were examined and ordered to be filed, and Señor Costa Cabral sworn as interpreter, and the papers delivered to him for translation. On the 28th the captor was sworn to the truth of his declaration, which is in the following terms:—

"I, the undersigned, Charles Edward Foot, Esquire, holding the rank of Lieutenant in Her Britannic Majesty's Navy, and commanding Her Majesty's ship "Lee," duly authorized by the Treaty between Great Britain and Portugal, dated the 3rd July, 1842, for the suppression of the Slave Trade, do hereby declare that on the 23rd day of April, 1864, being in latitude 6° 42' south, and longitude 12° 12' east of Greenwich, I detained the fore-and-aft schooner "Congo," under Portuguese colours, whereof Feliciano José de Faria is master, for the reasons herein set forth.

"That she came from the very notorious slave port Porta da Lenha, that the person who presented himself as master, was mate of a vessel captured by her Britannic Majesty's ship "Griffon," in the month of February, fitted out for the Slave Trade, and supposed to be the brigantine "Venus." That I observed on board both American and Portuguese flags, and that without any papers authorizing her to the right of either, or any legal papers of any class or description whatever—that the cargo was of a description easily sold, the proceeds of which could be applied for the purchase of slaves, or which itself might be bartered for them. That there were found on board twelve negroes unprovided with passports, or other documents authorizing their presence, being a number far in excess of that required for the purpose of navigating so small a craft, and further that a manuscript document was found on board with sailing directions for Cuba and the Havanna, and that a quantity of plates, and a large quantity of farinha, probably 1,200 lbs. avoirdupois, were on board, also a quantity of calavanees, &c., which articles were not down on her list of cargo, and further that I observed great delay in her hoisting any colours after the national flag had been displayed from Her Majesty's ship under my command.

"Given under my hand on board Her Britannic Majesty's steam-vessel "Lee," this 25th day of April, 1864.

(Signed)

"H. C. Foot, Commanding Her Britannic Majesty's ship 'Lee.'"

The following papers were found on board and delivered to the captor by the master:—

1. A letter addressed to Señor Alvaro.
2. A list of cargo.
3. Fly-leaf of a log-book of "Faria" of Princes.
4. Sailing directions in manuscript, Cuba and Havana.
5. Letter to José de Faria, Zaire.
6. Letter to Señor Luiz Pedro, at Ambrizette.
7. Letter to Am den Kapitan der Stoomboot Warende von Lissabon of Rotterdam.

The cargo consisted of the following articles :—

- | | |
|----------------------------------|--|
| 1. cases of sardines. | 20. bale trade goods also. |
| 2. package of trade cloth. | Nos. from 21 to 30 inclusive, bales of trade goods |
| 3. 18 large and 8 small barrels. | 10 in number. |
| 4. small case. | 31. case of fruit. |
| 5. ditto ditto. | 32. ditto ditto. |
| 6. ditto ditto. | 33. ditto ditto. |
| 7. paper. | 34. ditto ditto. |
| 8. case. | 35. ditto ditto. |
| 9. 47 muskets. | 36. ditto ditto. |
| 10. brass rods. | 37. case trade cloth. |
| 11. cask of brandy. | 38. case of fruit. |
| 12. 6 bags of calavances. | 39. ditto ditto. |
| 13. 11 bags of farinha. | 40. case. |
| 14. 1 portmanteau. | 41. large case. |
| 15. cask Lisbon wine. | 42. ditto ditto. |
| 16. ditto ditto ditto | 43. very large case. |
| 17. ditto ditto ditto | 44. ditto ditto. |
| 18. cask salt meat. | 45. iron (20 bars). |
| 19. bale trade goods. | 46. 58 dozen plates. |

The captor was then examined, and deposed as follows :—

That on the morning of the 23rd he saw the schooner under sail about eight or ten miles from his ship, and immediately gave chase. He afterwards saw two vessels that he went to visit, and then returned in the direction of the prize and saw her again. That when about the distance of a mile from her he stopped, having the national flag and pendant flying. On this occasion the schooner hoisted the Portuguese flag and tacked; as there was but little wind he went in a boat to visit her, she continuing under sail. He had observed so much delay in showing her colours that he had thought of firing a gun to attract her attention.

That she had a deck with a place forward for the crew and one aft for the master.

That he thought she was capable of taking 150 or 200 slaves, but never having seen a vessel with slaves on board he could not state exactly. That he thought that the provisions on board might be sufficient for ten days' consumption of 200 negroes. That he did not think that she was fit to receive negroes, but that he thought the cargo was probably intended to buy them. That it was more likely to buy negroes than to go to America, and that he did not think she was in a condition to carry negroes to America.

The evidence of the captor having been received, the monition was ordered to be issued, returnable in eight days, and the Court adjourned.

On the 11th May the Court received the depositions of the master and a portion of the crew.

The former stated that he was a native of Lisbon, twenty-two years of age, and a mariner.

That Joaquim Alves Ferreira gave him charge of the "*Congo*" at Porto da Lenha, and he took the command of her on the 20th of last month. That he only knew her three days before, but knew that she was built in France. That since he took charge of her she sailed under the Portuguese flag, but that previously she sailed under the French flag. That there was an American flag on board, which he found there; that he had never made use of it, and thought it was intended as a signal. That he had always known her under the name of "*Congo*," and that she was of 30 tons. That the crew consisted of twelve blacks, all free; that they were natives of Cabinda and the neighbourhood, and were engaged for the service of the schooner, and that none of them had any interest in the cargo.

That after leaving Porto da Lenha he touched at Banana, and it was his intention to touch at Ambrizette and Ambriz, and to finish the voyage at Loanda. That he touched at Banana, to leave the owner there and to receive three packages of cargo. That he does not know the contents of the bale, but thinks the cases contain wine. That the list of the cargo was made at Porto da Lenha, and does not contain the three packages received at Banana. That he delivered to the captor the whole of the papers that were on board, and that among them was none that authorized the use of the Portuguese flag. That he was mate of the "*Venus*," captured in the month of February; that she was captured because the captor considered her ready to receive slaves, and that neither he nor the captain went to St. Helena in her. That he had not served in any vessel but the "*Congo*" since he left the "*Venus*." That he was to have delivered the cargo at Ambriz. That he was going to Ambrizette to leave a spar there and to meet the owner with papers that he had forgotten at Porto da Lenha, and that it was more convenient to wait for him at Ambrizette than to anchor again in the Congo, where he was in fear of being robbed by the blacks, inasmuch as the schooner was escaping from them, they having attacked the owner at Porto da Lenha. He received the farinha that was on board at Porto da Lenha, and it was intended for the use of the crew. That the sailing directions he had in his possession in his capacity as mate, and he had copied them from the "*Robiero Pimentel*." That he had not observed that there had been any delay in showing his flag, but that if such was the case it was because he was occupied in baling out the water and saw the steamer when she was close to him. That when the vessel used the French flag she belonged to the French factory at Banana.

Fernando Gi, boatswain, and six of the crew, were examined. They deposed that they and the rest were all Cabindas, and free, and confirmed the principal points in the captain's evidence.

On the 16th of May the Proctor for the claimant presented three documents, which were duly filed.

The first was a permission granted by the Governor-General to the claimant to establish a trading house at Porto da Lenha, and bore date the 16th of October, 1863.

The second was a certificate of sale and safe conduct from the commander of the French war steamer "*Dialmath*," and is in the following terms :—

"*Marine Impériale, Aviso à vapeur le 'Dialmath.'*"

"Le Lieutenant de vaisseau, commandant l'avis à vapeur le '*Dialmath*,' certifie avoir autorisé la vente à M. Joaquim Alves Ferreira, citoyen Portugais, domicilié à Chemalick (Congo), de la goëlette le "*Congo*" de 30 tonneaux, appartenant à la maison Victor Regis de Marseille.

"Les papiers de ce navire ayant été repris par l'agent en chef des factoreries Françaises, et M. Ferreira ayant pris l'engagement de faire légaliser la vente à Saint Paul de Loanda, le Soussigné lui a délivré le présent afin que les navires de guerre Français et étrangers laissent passer librement et sûrement la dite goëlette le '*Congo*,' pour le rendre du '*Congo*' à Saint Paul de Loanda.

"Fait à Banane, le 22 Décembre, 1863.

"Le Lieutenant de Vaisseau, Commandant le '*Dialmath*,'

(Signé)

"ED. LEFON."

The third was a letter from the owner of the "*Congo*" to Senhor José de Jesus Rodriguez, of Loanda, and bore date of 19th April, 1864. The following is a translation of that portion which bears on this case:—

"From Ambriz I intend to send you a schooner of twenty and odd tons, for which you will have the goodness to obtain the necessary papers, and at the same time to be my surety for the bond that I shall have to give, for this vessel has had enough of this river; she was once taken by the natives, who sunk her papers. I am now consequently obliged to employ her in carrying colonists to St. Thomas, and I cannot do so without her being legalised. I therefore ask this favour of you, for which I shall be infinitely grateful.

The Court then proceeded to hear the depositions of the witnesses presented on behalf of the claimant.

Manoel da Luz Carvalho stated that the "*Congo*" was sold in deponent's presence by Victor Parra in the month of December; that the house of the claimant is engaged in legitimate trade; and that to his knowledge it has transacted business with the extinct French house and the Dutch house of Kerdyk; that many coasting vessels use national flags as signals; that, with the exception of the safe conduct of the Governor-General, it is not possible to obtain any papers before arriving at Ambriz; that the goods on board are such as are employed in legal trade.

Joaquim de Santa Anna Ribeiro deposed that the house of Joaquim Alves Ferreira is one of those at Porto da Lenha that is engaged in legitimate trade; that he was in the "*Congo*" when Alves Ferreira bought the vessel; that when he was there Alves Ferreira had been taken and bound by the blacks, who released him only on obtaining a portion of his goods; that he then declared to witness that he intended to leave the "*Congo*" and establish himself in Ambriz; that he had never seen any other vessel use a foreign flag as a signal; that the goods on board the schooner are such as are generally used in that trade; that to his knowledge Joaquim Alves Ferreira had been captured by the blacks, and had been only released at the price of goods and rum that he gave them, and that he told deponent that he was resolved to transfer his goods to Ambriz; that the goods on board the "*Congo*" were such as were used in legal trade.

Manoel Peres Ramos, mariner, deposed that the "*Congo*" was in the possession of Alves Ferreira in the month of January. That he had never known a vessel use the national flag of another nation as a private signal.

José de Jesus Rodriguez, merchant, deposed that he has been occasionally at Porto da Lenha, that there are houses there engaged in legitimate trade, and José Alves Ferreira's is one of them. That the "*Congo*" latterly belonged to Joaquim Alves Ferreira, who bought her from a French factory in the Congo. That Alves Ferreira wrote a letter to him, to get here the necessary papers to legalise the vessel, and to be his surety, and the letter above mentioned having been shown to him, he declared that that was the letter to which he referred.

That Alves Ferreira had been tied by the blacks, and that he ransomed himself with goods, that Alves Ferreira himself told him so, as well as other persons from the "*Congo*;" he was also authorized by Alves Ferreira to negotiate for the purchase of a house at Ambriz belonging to the American merchant, Willis. That many houses at Lisbon, and elsewhere, (which he designated), used the national flags of other nations as private signals. That papers cannot be obtained at Porto da Lenha, but a safe conduct could be got. That two vessels were brought not long ago to Loanda for sailing without papers, and both were released by the "*Tribunal de Presas*." That the cargo was such as was usually employed in legal trade, and that Alves Ferreira lately consigned to him by the "*Emilia*" a quantity of orchil. That he had not corresponded long with Joaquim Alves Ferreira, that he had thought that a brother in Lisbon was the chief of the house, and he, Joaquim, a partner or agent, and that he had never heard it said he was engaged in the Slave Trade.

Antonio Pedro Rodriguez, mariner and merchant, deposed, That he knows that the "*Congo*" belongs to Joaquim Alves Ferreira, because he, deponent, in the absence of his brother José de Jesus Rodriguez, received from Alves Ferreira on the 26th April, a letter dated the 19th of that month, and brought by the brigantine "*Emilia*," which vessel left Porto da Lenha on the 20th, and in that letter Alves Ferreira requested deponent's brother to take out legal papers, and be his surety for the vessel, for which purpose she was sent here, and the letter being shown to him, he declared that it was the one to which he referred. That he had heard that Alves Ferreira was leaving Porto da Lenha in consequence of the treatment he had received from the blacks. That when he commanded a ship he used the American flag on the foremast as a distinctive signal. That the house of Licene of Lisbon made use of the French flag for that purpose, and even on this coast Joaquim Botelho, of Novo Redondo, used the Spanish flag. That he was personally acquainted with Alves Ferreira from whom he had received other letters in the absence of his brother, and that the signature to the letter produced was his.

The proctor for the claimant was then heard on his behalf, and the Court appointed the following day for the consideration of their judgment.

On the 17th May a conference took place between the Commissioners as to the terms of their judgment. The Portuguese Commissioner was of opinion that the "*Congo*" had been proved to be a Portuguese vessel, and he considered her a bad prize. Her Britannic Majesty's Commissioner, on the other hand, maintained that no proofs had been produced to show that she was entitled to the use of the Portuguese or any other flag; he considered, therefore, that the Court had no jurisdiction in the case. It was therefore agreed that they should on the following day present in writing the grounds on which they based their respective opinions.

On the 18th May the Commissioners presented and read their opinions, and as they were still unable to agree, an arbitrator was chosen by lot. The President of the Court of Relação, in the absence of the Portuguese arbitrator, on whom the lot had fallen, was invited to attend on the following day, on which occasion a conference took place, and the Portuguese arbitrator requested to be allowed some delay to read the papers and form his opinion.

On the 23rd May the Portuguese arbitrator presented and read his opinion, which, being adverse to the views of Her Majesty's Commissioner, it was decided by the majority that the case was within the jurisdiction of the Mixed Commission. The Commissioners then proceeded to a consideration of the case on its merits, and gave the following judgment:—

That, considering the documents and the defence made on behalf of the claimants, they judge the palhabote "*Congo*" a bad prize; but seeing that the want of legal papers induced the captor to suppose that the said palhabote was employed in or destined for the Slave Trade, the master, crew, and owner of the said palhabote "*Congo*" cannot claim compensation for any wrong, loss, or damage whatsoever on account of her detention; that they pay the costs and other expenses of this trial, as they were the cause of them; and they order that the said palhabote "*Congo*" with all her cargo and other appurtenances be delivered to her respective master, and he with all the crew be set at liberty.

From the foregoing abstract of evidence and copies of documents filed in the cause it will be seen that the "*Congo*" was detained on the following grounds:—

1. That she came from the notorious slave port, Porto da Lenha.
2. That she was commanded by a person who had been mate of the "*Venus*," a vessel fitted out for the Slave Trade and captured by Her Majesty's ship "*Griffon*."
3. That she had an American flag on board.

4. That she was without any legal papers.
5. That the cargo was of a description easily sold, the proceeds of which might be applied to the purchase of slaves, or which itself might be bartered for slaves.
6. That there were twelve negroes on board without passports, being a number far in excess of the number necessary to navigate the vessel.
7. That there was a manuscript found with sailing directions for Cuba.
8. That a number of plates and a large quantity of farinha and beans were found, the latter not entered on the list of cargo.

9. That there was great delay in showing her flag.

It is not stated by the captor that any of the articles mentioned in the IXth Article of the Treaty were found on board, with the exception of the farinha and beans.

These nine grounds for capture were met by the claimant by the following evidence:—

The 1st. It was admitted that the vessel came from Porto da Lenha, but the witnesses deposed that the house of Joaquim Alves Ferreira carried on a legitimate trade there, and that they had never heard that it had ever been engaged in Slave Trade.

The 2nd. The captain of the "*Congo*" admitted that he had been mate of the "*Venus*."

The 3rd. The captain stated that he had found the American flag on board, but had never used it; and the witnesses deposed that it was not unusual to use the national flag of another nation as a private signal.

The 4th. It was admitted that the vessel had no papers, but it was stated that when captured she was on her way to Loanda to procure them. On this point, the dates when the letter from Alves Ferreira to Rodriguez was written and received are important, as are the testimonies of the brothers Rodriguez. The letter was written on the 19th April, was sent by a vessel that left Porto da Lenha on the 20th, and was received on the 26th. The "*Congo*" was detained off Mangue Grande on the 23rd, and arrived here on the 25th. It is clear, therefore, that the letter could not have been written with the knowledge that the "*Congo*" had been captured. In that letter Alves Ferreira says that he is sending down the vessel to enable Senhor José Rodriguez to obtain legal papers. Senhor José Rodriguez deposed (and his testimony was confirmed by others) that Alves Ferreira had been made prisoner by the blacks, who had released him only on payment of a ransom, and that he had declared that it was his intention to leave Porto da Lenha and establish himself at Ambriz, and had authorized the witness to negotiate with Mr. Willis, American merchant in this city, for the purchase of a house which he owned at Ambriz.

The 5th. It was proved by the witnesses that the cargo was of the character that is usually employed on the coast for legal trade.

The 6th. The blacks on board were examined, and declared that they were natives of Cabinda, and free, and were specially engaged for the service of the "*Congo*."

The 7th. The captain declared that the sailing directions for Cuba were in his possession in his capacity of mate. This is easily explained by the circumstance that he had been mate of a vessel destined to take a cargo of slaves to Cuba.

The 8th. The plates were on the list and formed a portion of the cargo. The farinha and beans were stated by the captain to be intended for the use of the crew, and would last about twenty days. It was in the knowledge of the Court that such was the case, as they were consumed by the crew when the vessel was in charge of the Mixed Commission, and an application was made for a supply of rations.

The 9th. The captain declared that he was not aware that there was any delay in showing his colours; that he was engaged baling out the vessel, and did not observe that the "*Lee*" wished to communicate.

It will be further observed that the captor on his examination stated that he did not think that the "*Congo*" when captured was in a condition to take a cargo of slaves to Cuba. He also mentioned to the Court that she was very leaky and making a great deal of water; and as her pump was out of order, it would be desirable, to prevent damage to the cargo, to open the hatches from time to time to bale her out, and it was found necessary to do so.

The principal grounds of suspicion that remained for the consideration of the Court were—the port whence the "*Congo*" came; the character of the captain; the presence on board of an American flag, and the absence of papers. Those circumstances would doubtless have had great weight had there been any proofs of slave-trading; but, taking into consideration the facts that the vessel when captured was full of cargo, and not in a condition to receive slaves—that she was leaky and her pump out of order—that she had neither provisions nor water on board, nor any of the articles mentioned in the IXth Article of the Treaty, and also the clear evidence as to her destination, the cause of her leaving Porto da Lenha, and the legal nature of the cargo, the Court could not do otherwise than declare her a bad prize; but as the proceedings had been caused by the default of her owner in neglecting to procure legal papers, he was condemned to pay all the costs of the suit.

(Signed) W. VREDENBURG.

No. 78.

Her Majesty's Commissioner to Earl Russell.—(Received September 2)

My Lord,

Loanda, June 30, 1864.

I HAVE the honour to transmit a return of vessels tried before the Mixed Commission during the past half year, on suspicion of being engaged in the Slave Trade.

I have, &c.

(Signed) W. VREDENBURG.

Inclosure in No. 78.

RETURN of Vessels Captured on Suspicion of being engaged in the Slave Trade, and adjudicated in the Mixed Court at Loanda, from January 1 to June 30, 1864.

Name of Vessel.	Flag.	Name of Master.	Date of Seizure.	Where Captured.	Property Seized.	Seizor.	Date of Sentence.	Number of Slaves Captured.	Decretal part of Sentence.
Congo	...	Feliciano José de Faria	1864 Apr. 23	Near Mangue Grande.	Schooner	Lieut. Foote, H.M.S. "Lee"	1864 May 23	None	Liberated, paying all costs.

Loanda, June 30, 1864.

(Signed)

W. VREDENBURG, *Commissioner.*

No. 79.

Her Majesty's Commissioner to Earl Russell.—(Received September 2.)

(Extract.)

Loanda, June 30, 1864.

I HAVE the honour to acquaint your Lordship that I have received a note from Commander Perry, of Her Majesty's ship "Griffon," Senior Officer of the South Division of the Squadron, in which he informs me that on the 3rd instant, when coming out of the Congo, he sighted a large felucca-rigged craft near Point Padrone. On Commander Perry's altering his course for her, she at once bore up for the beach and ran ashore before he could get near enough to prevent it. He then saw that she was laden with slaves, who, on the vessel's striking, all jumped overboard and escaped into the Bush. Commander Perry says that he thinks there were at least a hundred of them, principally children. He landed a party of men, but they were unable to track them through the thick bush, six of them, however, were subsequently delivered to him by the natives.

Commander Perry also informs me that he has heard that two slavers are shortly expected on that part of the coast, and as the squadron under his orders consists of three vessels only, he has purchased the coals of which he stood in need at Banana, rather than leave the coast for the purpose of obtaining them from Her Majesty's Depôt at this place.

I have further the honour to inform your Lordship that the Governor-General has received information to the effect that Senhor Fortunato d'Oliveira Botelho had despatched a vessel from Cadiz about the middle of April, to embark the slaves that were intended to be shipped on board the "*Virgen del Refugio*," a vessel captured in February by the Portuguese schooner "*Napier*;" that the embarkation is intended to take place between Benguela Velha and the River Tapado (the latter being the place where the "*Virgen del Refugio*" was captured); and that a person would come out in the steamer to superintend it. The Senior Officer of the Portuguese Squadron has sent the "*Napier*" to watch the coast, and will shortly proceed there himself; and Lieutenant Foot, of Her Majesty's ship "*Lee*," with whom I was fortunately enabled to communicate, is also cruising in that neighbourhood.

The information conveyed is so precise, that if it should prove correct, it seems scarcely possible that the vessel can escape capture.

No. 80.

Her Majesty's Commissioner to Earl Russell.—(Received September 22.)

My Lord,

Loanda, July 18, 1864.

I HAVE the satisfaction of reporting to your Lordship, that on the 10th instant Lieutenant-Commander Foot, of Her Majesty's ship "*Lee*," was fortunate enough to capture, about sixteen miles from shore, the vessel to which I referred in my despatch of the 30th June. She was a fine barque, without flag or papers, of about 300 tons, fully equipped for the Slave Trade, and was, when captured, standing in between the River Tapado and Egypto.

Lieutenant-Commander Foot has sent her with a prize crew to St. Helena, to be tried before the Vice-Admiralty Court, having landed the Captain and crew at Quilombo. The Governor-General has this morning sent a cruiser, with a detachment of soldiers, for the purpose of capturing them and bringing them to this city. His Excellency expresses a hope that he may be enabled to elicit from them some

information that may assist the Judge Figueredo in the investigations that he is pursuing on the coast of Benguela.

I have heard that Commander Perry, of Her Majesty's ship "Griffon," has lately captured a vessel in the neighbourhood of the Congo, but I am unacquainted with the particulars.

I have, &c.
(Signed) W. VREDENBURG.

No. 81.

Her Majesty's Commissioner to Earl Russell.—(Received September 26.)

My Lord,

Loanda, July 18, 1864.

I HAVE the honour to transmit a copy of memoranda that I have drawn up for the information of the Commanders of Her Majesty's cruisers, containing intelligence that has come to my knowledge respecting slave vessels that may be shortly expected on the coast.

I have, &c.
(Signed) W. VREDENBURG.

Inclosure in No. 81.

Memoranda for the information of the Commanders of Her Majesty's Cruisers.

Loanda, July 18, 1864.

I COMMUNICATED personally to Captain Marten the information in my possession respecting a certain Senhor Campos, who arrived here in the Portuguese mail steamer "D. Antonia," and a few days after his arrival proceeded to Ambrizette, under the pretence of taking charge of the estate of the deceased Senhor Guilherme, a notorious slave-trader of that place. His real object is to purchase a cargo of slaves, and superintend their shipment. I suggested to Captain Marten that it was advisable to watch the movements of Senhor Campos. It is now most desirable that his whereabouts should be known, as he is collecting slaves for a steamer that will, I have been informed, be sent to receive them. I am unable to give any information as to the period when the steamer may be expected, but suspect that the shipment will be attempted in the neighbourhood of Mangue Grande.

A vessel is now due on the coast for the purpose of shipping slaves. I cannot furnish the precise point whence they are to be shipped, my informant merely stating that the embarkation will take place well to the northward. Commander Perry has informed me that he tracked a large number of slaves from Vista to Killongo, and that he thinks that they are the slaves to which my informant referred, and that the shipment is intended to be made at the latter place. This information will, I fear, be communicated too late to be of service.

The Rear-Admiral commanding the French squadron last week informed me that many suspicious circumstances had come to his knowledge, which led him to believe that a considerable Slave Trade is carried on near the River "Cama."

(Signed) W. VREDENBURG, *Her Majesty's Commissioner.*

No. 82.

Her Majesty's Commissioner to Earl Russell.—(Received September 26.)

My Lord,

Loanda, July 26, 1864.

WITH reference to my despatch of 18th instant, and its inclosure, I have the satisfaction of acquainting your Lordship that I was informed last evening, by Staff-Commander Roberts, of Her Majesty's store-ship "Wye," that Commander Battiscombe, of Her Majesty's ship "Snipe," had captured, in the neighbourhood of Kilongo, a vessel fully fitted out for the Slave Trade. That vessel is doubtless the one referred to in my second memorandum.

I have further the satisfaction of reporting that, on or about the 8th instant, a fore-and-aft schooner, from Havana, was captured at anchor off Vista, by Her Majesty's ship "Dart." She was manned principally by Americans and was to have shipped her cargo on the following morning. On the boats shoving off to board, she hoisted Danish colours, but hauled them down before the boats arrived alongside. In default of papers, she was sent by Commander Richards to St. Helena for adjudication.

I have, &c.
(Signed) W. VREDENBURG.

No. 83.

Her Majesty's Commissioner to Earl Russell.—(Received October 12.)

(Extract.)

Loanda, July 26, 1864.

IN my despatch of the 7th March I had the honour of reporting to your Lordship the capture by the Portuguese war schooner "Napier" of the Spanish brigantine "*Virgen del Refugio*," while at anchor near the River Tapado; and in my despatch of the 15th March, I transmitted a copy of the judgment of the Prize Court, condemning her as a good prize for being engaged in the Slave Trade. This vessel was captured in Portuguese waters, by a Portuguese ship of war, condemned by a Portuguese Court, and the captain and crew lodged in gaol; it was, therefore, scarcely possible to conceive that justice could by any possibility be defeated in this case.

To my great astonishment, I learnt a few days ago, that in direct violation of Portuguese law, the captain had been admitted to bail for the trifling amount of 400 milreis, and had (as must have been expected and intended) absconded. I immediately sought an interview with the Governor-General, and mentioned the circumstance to him. His Excellency answered that I must most certainly have been misinformed, as no communication on the subject had been made to him, and that the law did not admit of bail in cases of slave-trading. He added that he would immediately inquire into the subject. The same day he told me that he had ascertained that the information I had received was correct, that Judge Dantas had admitted the prisoner to bail, and that he had fled. His Excellency appeared greatly annoyed; he said that acts of this nature threw discredit on all persons in authority, caused them to be suspected of connivance, however innocent they might be, or desirous of acting honestly and in accordance with their duties and conscience; and that he should immediately direct the Procurador Regio to report to him on the subject, for the information of his Government.

The whole of the circumstances of this case leave no doubt in my mind as to the venality of the Judge. Mr. Peixoto, the person whom the Judge accepted as bail, is entirely without means or character. Small as was the penalty, it was entirely beyond Mr. Peixoto's means: the sum of 400 milreis was, nevertheless, paid into the Treasury without the slightest delay.

Your Lordship will, I am satisfied, be of opinion that the Portuguese Government are bound to take serious notice of so gross a case of *malfeasance* in a Judge; by his misconduct not only has the captain escaped, but others, more guilty, who would probably have been compromised by disclosures at the trial, have also escaped punishment.

No. 84.

Her Majesty's Commissioner to Earl Russell.—(Received September 26.)

My Lord,

Loanda, July 29, 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 5th April, in which your Lordship is pleased to convey your approval of my communication to the Commander of the "Archer," relative to the Slave Trade carried on from the Portuguese possessions to the southward of this city, and of my proposed visit to the South Coast.

I have not yet received an official answer to my application for a cruizer to take me down, but Captain Marten, who has succeeded Captain Bythesea in the command of the "Archer," told me a short time ago that he would himself give me a passage.

I cannot conveniently absent myself at present, as Mr. Hewett has been compelled by the state of his health to apply for six weeks' leave of absence; and I also consider it better to defer my intended expedition until the Commissioner that the Governor-General has sent to the Coast of Benguela has made his Report.

I have, &c.

(Signed) W. VREDENBURG.

P.S. August 8.—Mr. Hewett returned yesterday, and has again entered on the performance of his duties. He was absent a fortnight.

No. 85.

Her Majesty's Commissioner to Earl Russell.—(Received September 26.)

My Lord,

Loanda, August 12, 1864.

I HAVE the honour to report to your Lordship that I have received a communication from Commander Richards of Her Majesty's ship "Dart," in which he informs me that he had captured on the 22nd of last month in latitude 3° 20' south, and longitude 10° 30' east, the brigantine "*Melvira*" otherwise "*Charles*," equipped for the Slave Trade, but without slaves on board.

She was owned by an Italian named Giuseppe Botteio, and the master and crew were all Italians. She was boarded under Italian colours, which were hauled down on the discovery of Slave Trade equipment.

The "*Melvira*" sailed from London on the 22nd April, and was provided with some papers from the Italian Consulate, bearing the signature of "G. B. Heath." She touched at the Ilha do Sal, one of the Cape de Verde Islands, and left that place on the 18th May with the ostensible destination of Little Fish Bay.

With reference to the last paragraph in my despatch of the 18th July, I have further the honour to inform your Lordship, that I have since received more certain information on the subject, and that the vessel, the capture of which I erroneously attributed to Her Majesty's ship "Griffon," is the one taken by Her Majesty's ship "Dart" off Vista, as reported by me to your Lordship in my despatch of 26th July.

I have, &c.

(Signed) W. VREDENBURG.

No. 86.

Earl Russell to Her Majesty's Commissioner.

Sir,

Foreign Office, October 15, 1864.

I HAVE received your despatch of the 18th of July last, and I have to convey to you my approval of the information which you furnished to the Commander of Her Majesty's cruisers respecting vessels likely to be engaged in the Slave Trade.

I am, &c.

(Signed) RUSSELL.

No. 87.

Earl Russell to Her Majesty's Commissioner.

Sir,

Foreign Office, October 15, 1864.

I HAVE received your despatch of the 29th of July last, and I have to acquaint you that I approve of your deferring your intended expedition to the coast lying south of Loanda until the Commissioner, whom the Governor-General has sent to that coast for the purpose of obtaining information respecting the Slave Trade, has made his report.

I am, &c.

(Signed) RUSSELL.

No. 88.

Her Majesty's Commissioner to Earl Russell.—(Received November 25.)

(Extract.)

Loanda, September 20, 1864.

WITH reference to my despatch of the 9th July, I have the honour to acquaint your Lordship that I have been informed by the Governor-General that he has sent to Lisbon by a sailing vessel, the report of the Judge who went to Benguela for the purpose of enquiring into the cases of slave-trading that had occurred in that district.

His Excellency was not very communicative on the subject, but I was able to ascertain that no certain proofs were obtained, the persons most suspected boldly declaring that no slaves had been shipped from that district for many years. Judge Figueiredo was unfortunately obliged to return before he had completed his investigations, in consequence of the small-pox having broken out on board the corvette in which he was a passenger.

Your Lordship will no doubt have been made acquainted with the information that Judge Figueiredo may have succeeded in obtaining, before the receipt of this despatch. The Portuguese steamers have ceased running since June, and I have but few and uncertain opportunities of forwarding my correspondence.

No. 89.

Her Majesty's Commissioner to Earl Russell.—(Received January 11, 1865.)

My Lord,

Loanda, October 21, 1864.

WITH reference to my despatch of the 20th of May, 1863, and your Lordship's despatch of June 20 of the present year, I have the honour to acquaint your Lordship that the Governor-General has repaid to me the sum of 50*l.*, being one-half of the Proctor's fee, the whole of which had been paid by Her Majesty's Government from their moiety of the proceeds of the Portuguese brigantine "*Laura*," prize to Her Majesty's ship "*Zebra*," and condemned by the Court of Mixed Commission established in this city.

I have, &c.

(Signed) W. VREDENBURG.

No. 90.

Her Majesty's Commissioner to Earl Russell.—(Received December 22.)

My Lord,

Loanda, October 25, 1864.

I HAVE the honour to transmit my Annual Report on the Slave Trade, made up to the 30th September, in obedience to the instructions conveyed in your Lordship's despatch of the 18th June, 1860.

I have, &c.

(Signed) W. VREDENBURG.

Inclosure in No. 90.

Annual Report on Slave Trade.

IN consequence of the numerous prizes made by Her Majesty's cruisers at the end of the year 1862 and the early part of the following year, the plans of the slave-traders in the Congo and its vicinity were completely disorganized. Towards the commencement of the present year they appear to have in some degree recovered from the stunning effects of the heavy blows they had received, and some spasmodic attempts were made to ship slaves; they were, however, prepared without system or concert, and with the exception of a brig that left Moanda in January with 600 slaves, I have no reliable information that any other vessel has succeeded in making her escape; the others that have appeared on the coast have been captured. This result is due to the energy and untiring activity of the Commanders of Her Majesty's ships. I heard from many quarters that an American vessel had in June or July shipped a cargo of slaves, and got away; but Commander Perry, who was Senior Officer at that period, expresses his total disbelief of the report, and from the known zeal and intelligence of that officer I place the greatest confidence in his opinion.

The strength of the South Division of the squadron has been far from sufficient to watch so extended a line of coast. Sickness has also been prevalent among the crews. Many vessels have consequently been compelled to leave their stations, and the squadron has been frequently reduced to three vessels; great credit is therefore due to the officers who with such limited means have produced so satisfactory a result. The slave-traders in the Congo have been put to great expense for the maintenance of the slaves that they had collected for shipment, and the price has varied considerably, having been very high as the period approached when a vessel was expected, and falling to a nominal price when the intelligence reached them that she had been taken. Their losses during the last two years have been so great that it is frequently stated in this city that many of the large slave-trading houses at Porto da Lenha intend to renounce their infamous traffic, and embark in legitimate trade. The parties themselves, so far from showing an intention of relinquishing their present occupations, have not hesitated to declare to the Commanders of Her Majesty's ships that should the present Captain-General of Cuba be removed, the Slave Trade would show all the vitality that it exhibited a short time ago. The profits on slave-trading, when moderately successful, are so large that I have little doubt that if the persons now engaged in that pursuit were to retire, others would immediately occupy their places.

Formerly the whole population of this city was absorbed in the one pursuit of slave-trading. At present the larger number are engaged in legitimate trade; while a not inconsiderable class combine a certain amount of indirect illegal traffic with their ordinary occupations. Those who make slave-trading their entire aim are to be found in the Congo and the adjacent coast.

One vessel only has been sent for trial before the Mixed Commission. She was a small coasting craft, called the "Congo." She was totally unprovided with papers to legalize her voyage; but it was clearly proved that the owner had been on more than one occasion robbed and ill-treated by the natives at Porto da Lenha, and that the cargo with which she was loaded was intended to be landed at Ambriz, at which place he was desirous of establishing himself. He had committed an offence against the laws of nations and the laws of Portugal; but as there did not exist the slightest evidence showing an intention to engage in the Slave Trade, the vessel was released and restored to her owner.

Although the Governor-General has scrupulously adhered to his determination not to grant passports for St. Thomas to slaves, every vessel bound to that island has conveyed ten libertos. The Guarda Mór has been instructed to explain to them the nature of their position when he makes his visit to the vessels prior to their departure. A short time ago the Governor-General having reason to suppose that two men, for whom passports as libertos had been obtained, were in reality slaves, directed a special inquiry to be made into the case; the men, on being questioned, stated that they were slaves; the person who accompanied them declared, on the contrary, that they were free. The master and the men were ordered to be landed, and the former sent to jail. He showed subsequently that as he had never caused the men to be registered as slaves, they were by the action of the law free; he thus escaped a criminal prosecution. Can there be any doubt that these men would have been reduced to a state of slavery had they arrived at St. Thomas? They considered themselves slaves, and had probably no knowledge of the law that rendered their registration necessary.

I have called attention to this case to show how persistent are the owners of slaves in their endeavours to send them to St. Thomas, and the artifices they resort to to accomplish their ends. The accounts from that island mention the frightful mortality among the black population from small-pox during the last four months; every effort will therefore be made to supply their loss, but it is not from this city or province that the larger number will be obtained. The coast between the Gaboon and Cape St. Catherine will furnish the principal supply, as it has heretofore done. The French Admiral informed me not long ago that he had captured a Portuguese felucca with 30 or 40 slaves that had been embarked in French territory for the Islands of Princes and St. Thomas. The master and crew he had caused to be imprisoned, and the slaves he lodged in comfortable huts and supplied with rations, but they all ran away immediately and returned to their former owners. The mode of proceeding appears to be the following:—Senhor José Maria Prado is the owner of large estates in St. Thomas; he also holds a contract for the supply of the French settlement on the Gaboon with cattle. The beasts are shipped at Benguela and transported to the Gaboon. The vessels, after discharging them, proceed to the coast between that place and Cape St. Catherine, particularly the neighbourhood of the River Cama, and there embark slaves whom they convey to St. Thomas. Senhor Prado was the owner of the brigantine "Liberdade," captured by Her Majesty's ship "Zebra" on the 20th November, 1862. There was, it is true, a simulated sale and transfer of that vessel effected by Senhor Prado at St. Thomas to avoid the penalties on the bond signed by him at Loanda. No one was duped by that proceeding, but he thereby escaped punishment.

The most anxious and harassing portion of my duties has been that connected with the slave-trading on the coast of Benguela. All my efforts have been unavailing to obtain proofs of the criminality of the persons against whom exist suspicions almost amounting to conviction. The Governor-General sent down a special Commissioner for the purpose of obtaining evidence, with the view to the prosecution of the offenders, but I have been given to understand that he was not very successful; the subordinate authorities are in league with the slave-traders, and share their scandalous and ignominious gain. The Governor-General has done all in his power to impress on the minds of those persons the obligations and duties that they owe to society, and the nation whose servants they are, but neither remonstrances, threats, nor dismissals, have produced any effect. The greater number of functionaries, both civil and military, consider that while in Africa they may use, without dishonour, any means to obtain money, and the low tone of morality which a long course of slave-trading has produced excuses and encourages that opinion here. Nor can the Portuguese Government be acquitted of all blame, as it is a well-known fact that many of the most notorious slave-traders, men whom the laws of Portugal treat as criminals, have been honoured, decorated, and even ennobled by that Government. The Governor of Benguela, to whose apathy and indifference are to be attributed the great proportions that the Slave Trade has assumed in that district, has at his own request been superseded; his successor will shortly be at his post, and by a proper exhibition of vigilance and severity he may put a stop to proceedings which disgrace his country and outrage humanity.

Three slave-ships have been captured near the coast of Benguela. A Spanish brigantine, the "*Virgen del Refugio*," was taken by His Most Faithful Majesty's ship "Napier" while lying at anchor near the River Tapado and condemned by the Portuguese Prize Court (Tribunal de Presas). A Portuguese launch, the "*Sencivel*," that was acting in concert with her, has also been condemned; and Her Majesty's ship "Lee" captured a barque fully equipped for the Slave Trade as she was making for the same spot. This last vessel was taken in consequence of information of a very precise nature communicated to me by the Governor-General, and which I conveyed to the commander of the "Lee."

Captain João Baptista Garção, since he took the command of the Portuguese squadron in January last, deserves the highest praise for the energy and zeal with which he has acted. The ships under his orders have been constantly kept at sea, and he with his own ship has been generally cruising, having come into harbour only when it was necessary to coal and refit. In that respect he has been in marked contrast with his predecessor.

It is, I think, probable that for some time the Slave Trade in Portuguese possessions to the southward of this city will be less active, but it is much to be desired that the south division of the squadron should be strengthened, so as to permit a cruiser to be more frequently stationed on that coast.

Loanda, October 25, 1864.

(Signed)

W. VREDENBURG, *Commissioner.*

No. 91.

Her Majesty's Commissioner to Earl Russell.—(Received December 22.)

My Lord,

Loanda, October 26, 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 16th of July, inclosing copies of despatches from Her Majesty's Minister at Lisbon and the Portuguese Minister of Foreign Affairs, notifying the appointment, by Decree dated the 1st of June, of the Judge of the Relação, Senhor Bernardo Soares Vieira da Motta, as Arbitrator, and Senhor Antonio Casimiro d'Almeida e Figueiredo, as Secretary of the British and Portuguese Mixed Commission Court in this city.

Senhor Antonio Casimiro d'Almeida e Figueiredo has been acting in the capacity of Secretary for the last two years; Senhor Urbano Pereira de Castro, whose removal from his post by Decree of the same date is announced, having left Loanda nearly three years ago.

I have, &c.

(Signed)

W. VREDENBURG.

LOANDA. (*Board of Superintendence.*)

No. 92.

Her Majesty's Commissioner to Earl Russell.—(Received January 5, 1864.)

My Lord,

Loanda, November 20, 1863.

I HAVE the honour to transmit a list of liberated Africans in charge of the Board of Superintendence on the 31st of September.

In the Blue Book presented this year to Parliament, page 53, Inclosure to No. 37, it appears that on the 31st of December, 1861, there were 62 liberated Africans in charge of the Board. Five captured in the launch "E" have since been added to that list. I have repeatedly desired the Curator to supply me with a specific and detailed statement showing what has become of those unaccounted for in the accompanying list. I have hitherto been unable to obtain it. I shall not lose sight of the matter, and as soon as I am furnished with the information I require I will communicate it to your Lordship.

I have, &c.

(Signed) W. VREDENBURG.

P.S. November 24.—I have further the honour to transmit a list of the libertos who have died and absconded since the 31st of December, 1861, and a statement showing the number remaining in charge of the Board of Superintendence on the 30th of September.

W. V.

Inclosure 1 in No. 92.

List of Libertos in charge of the Board of Superintendence on the 30th of September, 1863.

(Translation.)

In the service of Dona Thereza d'A e Castro :—

João Congo, Izidoro Tapioca, Christovão Muai, Guilhermina Maiamba, Amalia Cambiza, Mariana Muquenza, Maria Guengue, Maria Mangula.

In the service of Colonel Rudzki :—

Januario Buaquina, José Panzo.

In the service of F. M. Gomes Teixeira :—

Onofre Zundo, Paulo Matenda, Paulo Bengue.

In the service of I. M. da Camara :—

Thomazia Massango, Josefa Quanhama, Antonia Finda, Luzia Pute, Maria Mangula.

In the service of L. G. de Carvalho Vieira :—

Leocadia Monambize, Marianna Massanga, Francisca Babacala, Candida Muloge.

In the service of Josefa P. de S. Pirez :—

Maiala.

In the service of Dona Anna V. de S. Escoria :—

Julianna Humbe, Catharina Muamba.

In the service of Amancio J. de Silveira :—

Gervasio Massoque.

In the service of Antonio J. Escorcio :—

Rafael Gragate.

In the service of the Municipal Chamber :—

Paulo Panzo, João Segundo, Jeronimo Mazinga, Manoel Nongo, Domingo Massamba.

In the barracks of the Provincial Government :—

Carolina, Paulo Sombo, Antonio, Marcelina Malonga, Manassuca, Christina, Maputa, Marianna Quembe, Pedro Jaõa, Maiala, Catharina Melande, Emidio Manoana, Gregorio Manacula, Manoel, Agostinho Joaquim, Tiberio Sumbo, Mariana Sanga, Maria Ambriz, Marianna.

In the service of the Secretary of Mixed Commission :—

Virginia Helena.

In the service of the Naval Department :—

João Antonio, Paulo Macena, Carolina Antonia, Carolina Ginga.

St. Paul de Loanda, October 1, 1863.

(Signed) M. A. DE CASTRO FRANCINA, *Curator of Liberated Africans.*

Inclosure 2 in No. 92.

Nominal Statement of Libertos of the Board of Superintendence who have Died and run away during the year 1862 and the three-quarters of the present year.

(Translation.)

Died (10).—Trula, Luzia, Rodolpho, Samba, Adrianna Huelle, Pedra Canga, Sabi, Thomazia, João Cuco, Izabel.

Run away (2).—João, Pedro.

St. Paul de Loanda, November 21, 1863.

(Signed)

M. A. DE CASTRO FRANCINA, Curator.

Inclosure 3 in No. 92.

Minute.

(Translation.)

Curatorship of Negroes of the Board of Superintendence.

Present on the 31st of December, 1861 :—Libertos of both sexes 63

From the launch "E."—Negroes liberated by Judgment of the Mixed Commission,

November 27, 1862 5

—

68

Died between January 1862, and the end of September 1863 10

Ran away during the above period 2

—

12

Present at the end of September 1863 56

N.B. The number of libertos now present includes 29 men and 27 women ; so that in the statement made on the 31st of December, 1861, there was an error of 1.

Loanda, November 23, 1863.

(Signed)

M. A. DE CASTRO FRANCINA, Curator.

No. 93.

Earl Russell to Her Majesty's Commissioner.

Sir,

Foreign Office, January 23, 1864.

I HAVE received your despatch of the 20th November last, inclosing lists of the liberated Africans in charge of the Board of Superintendence, and stating that you have repeatedly, but unsuccessfully, desired the Curator to supply you with a specific and detailed statement, showing what has become of those unaccounted for, as shown in the lists which accompany your despatch.

I have in reply to observe, that it does not appear from the lists in question that there are any libertos unaccounted for, as you state that on the 31st December, 1861, there were 62 negroes in charge of the Board, and that 5 were captured in the launch "E," thus making a total of 67.

Now List No. 1 accounts for 56, and List No. 2 gives the names of 10 who died, and two who ran away, thus actually accounting for 68, or one more liberto than was supposed to be in charge of the Board.

You will furnish me with a further explanation on this subject, but in the meanwhile, if there are really any libertos unaccounted for, it will be your duty to insist on being informed how they have been disposed of, and failing to receive a satisfactory report you will inform me in order that I may bring the matter to the notice of the Portuguese Government.

I am, &c.

(Signed)

RUSSELL.

No. 94.

Her Majesty's Commissioner to Earl Russell.—(Received February 20, 1864.)

My Lord,

Loanda, December 31, 1863.

I HAVE the honour to transmit a translation of the Report of the Curator of Liberated Africans, for the quarter ending to-day.

I have, &c.

(Signed)

W. VREDENBURG.

Inclosure in No. 94.

Report of the Curator of Liberated Africans.

(Translation.)

I HAVE the honour to inform the Board of Superintendence of Liberated Africans that during the quarter ended this day I visited several times the libertos under the charge of the said Board, and found—

1. That they all received proper treatment.
2. That the libertos granted to private persons were for the most part employed in domestic pursuits, and some in labour in the suburbs of the city; those granted to the Corporation in the service of the Municipality.
3. That on the 15th instant the liberta Catherina, on the 22nd the liberta Justiana, who were in the service of Dona Anna V. Escorcio e Silva, and on the 30th the liberto Maiala, who was in the service of Dona Josepha Pires, were returned to the Provincial Government Barracks.

St. Paul de Loanda, December 31, 1863.

(Signed)

M. A. DE CASTRO FRANCINA, *Curator.*

No. 95.

Her Majesty's Commissioner to Earl Russell.—(Received June 3.)

My Lord,

Loanda, April 1, 1864.

I HAVE the honour to transmit the Report of the Curator of Liberated Africans for the last quarter.

I have, &c.

(Signed)

W. VREDENBURG.

Inclosure in No. 95.

Report of the Curator of Liberated Africans.

(Translation.)

I HAVE the honour to bring to the knowledge of the Most Excellent Board of Superintendence of Liberated Africans, that during the quarter that ends to-day, visiting from time to time the libertos under the charge of the said Board, I found—

1. That they all received proper treatment.
2. That those granted to private persons were for the most part employed in domestic service, and some as labourers in the suburbs of the city; and that those granted to the Municipal Chamber were employed in the service of the Municipality.
3. That the following libertos are in the barracks ("deposito") of the Provincial Government:—Manuel Vemba, received on the 16th January; he was in the service of the Municipality, and had absconded: Antonia on the 27th February, and Mariana on the 6th of this month; they were in the service of Innocencio Mattozo da Camara, who declined their further services.
4. That the liberta Manfrita absconded from the barracks on the 3rd of this month.

Loanda, March 31, 1864.

(Signed)

M. A. DE CASTRO FRANCINA, *Curator.*

No. 96.

Her Majesty's Commissioner to Earl Russell.—(Received June 3.)

My Lord,

Loanda, April 8, 1864.

WITH reference to your Lordship's despatch of the 23rd January, desiring me to furnish further explanations on the subject of the lists of libertos transmitted in my despatch of the 20th November last, I have the honour to draw your Lordship's attention to the circumstance that the despatch in question is dated the 20th November, but the postscript bears the date of the 24th November. The detailed statement that I had requested was brought to me on the previous day, when I was much occupied, and I had barely time to add the postscript, and forward the statement referred to.

I take the liberty further to observe, that at the end of List No. 2 it is mentioned that there was one liberto more in charge of the Board on the 31st December, 1861, than the number mentioned in Mr. Gabriel's Report.

Trusting that this explanation will be satisfactory, I have, &c.

(Signed)

W. VREDENBURG.

No. 97.

Her Majesty's Commissioner to Earl Russell.—(Received September 2.)

My Lord,

Loanda, June 30, 1864.

I HAVE the honour to transmit the report of the Curator of Liberated Africans, for the quarter ending to-day.

Senhor Françina de Castro, the Curator, having applied for and obtained six months' leave of absence, I expressed a desire to have a personal inspection of the libertos before his departure. I was able unfortunately to see but few of them, a great number being in hospital with small-pox, that disease having raged with great violence in this city and province during the last two months. It appears by the Curator's report that two only of the libertos have died, but it is to be feared that many of those now in hospital will fall victims to that frightful disease.

Senhor Joaquim Felipe de Andrade e Oliveira has been appointed Acting Curator during the absence of Senhor de Castro.

I have, &c.

(Signed) W. VREDENBURG.

 Inclosure in No. 97.
Report of the Curator of Liberated Africans.

(Translation.)

I HAVE the honour to inform the most excellent Board of Superintendence, that during the quarter ended this day, I visited from time to time the libertos under charge of the Board, and found—

- 1stly. That they all had proper treatment.
- 2ndly. That the libertos allotted to private persons were employed in domestic service, and in agriculture in the suburbs of the city, and that those granted to the Municipal Chamber were in the service of the Municipality.
- 3rdly. That in consequence of the great epidemic of small-pox, which is now raging in the city, and various parts of the Province, there entered the hospital in the month of May, thirteen of the libertos from the Government barracks, and six more during the present month, the liberto Gregorio Manacata having died of that disease on the 22nd.
- 4thly. That there are also attacked with small-pox, and under treatment at the hospital, six of the libertos in the service of D. Thereza d'Aguiar e Castro, three in the service of Luiz Gomes de Carvalho Vieira, two in the service of Francisco Martins Gomes Teixeira, and two from the Arsenal (Trem).
- 5thly. That there were received at the Government barracks, Gervasio, who had been granted to Amancio José da Silveira; Bengur, who was in the service of Francisco Martins Gomes Teixeira; Alvera Bemba, who was granted to Camillo Ferreira; José Panzo and Januario Baquina, who were in the service of Colonel Rudzky.
- 6thly. That there died on the 24th of small pox, Massanga, being one of those granted to Luiz Gomes de Cavalho Vieira.

Loanda, June 30, 1864.

(Signed) M. A. DE CASTRO FRANCINA.

 No. 98.
Her Majesty's Commissioner to Earl Russell.—(Received November 25.)

My Lord,

Loanda, October 3, 1864.

I HAVE the honour to transmit the report for the last quarter of the acting Curator of Liberated Africans.

I have, &c.

(Signed) W. VREDENBURG.

 Inclosure in No. 98.
Report of the Acting Curator of Liberated Africans.

(Translation.)

I HAVE the honour to inform the Board of Superintendence of Liberated Blacks, that during the third quarter of the current year, visiting from time to time the libertos under charge of the Board, I found—

1. That they received proper treatment,
2. That the libertos awarded to private persons were employed in domestic service, and some in agriculture in the suburbs of the city. Those awarded to the Municipal Chamber were employed in the service of the Municipality.
3. That on the 3rd of July, Carolina, who was in the service of Manoel da Cunha Guimaraes, died.
4. That on the 21st of the same month, the liberto José Panzo died in the hospital of small-pox.
5. That of the libertos who, according to last quarter's report, were ill with small-pox in the hospital, one only still remains there, and he is nearly re-established.

Loanda, October 1, 1864.

(Signed) FELIPPE D'ANDRADE E OLIVEIRA.

NEW YORK.

No. 99.

Her Majesty's Commissioner to Earl Russell.—(Received January 25, 1864.)

My Lord,

New York, December 31, 1863.

I HAVE the honour to report to your Lordship that no case has been brought for adjudication before the Mixed Commission Court established at New York under the Treaty between Great Britain and the United States of America for the suppression of the Slave Trade, during the year ending this day.

I have, &c.

(Signed) E. M. ARCHIBALD.

No. 100.

Her Majesty's Commissioner to Earl Russell.—(Received January 25, 1864.)

My Lord,

New York, December 31, 1863.

I HAVE the honour to report to your Lordship that no slaves have been emancipated, and consequently that none have been registered by the Court of Mixed Commission established at this place, during the year ending this day.

I have, &c.

(Signed) E. M. ARCHIBALD.

REPORTS FROM NAVAL OFFICERS

WEST COAST OF AFRICA STATION.

No. 101.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir,

"Rattlesnake," Whydah, November 22, 1863.

I HAVE the honour to report, for your information, that a steamer* escaped from the Bights with slaves on board on 10th October last. I cannot conceal from you my grief and disappointment at this circumstance, because I had taken more than usual precaution in impressing upon the minds of the Commanders of cruisers on this part of the station the urgent necessity of increased watchfulness.

I am told by the mate of a merchant-ship now at this anchorage, that the "Antelope" could not have been very far off when these slaves were shipped.

Inclosed are extracts from Commander Wildman's letter to me on the subject.

I must own that if the boats of the cruisers had been sent to watch and cruise in suspected places, according to my general orders, it is not improbable that this escape might have been prevented.

I have discovered that the small-pox was raging amongst the slaves at the time of embarkation, that many were rejected on this account, and that it is supposed that the greater part of those shipped will never reach their destination.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 101.

Commander Wildman to Commodore Wilmot.

Sir,

"Philomel," Whydah, October 24, 1863.

IT is with great regret that I have to report, from information received, that the slave-steamer has shipped and got away.

The English brig "Astarte," boarded by this ship on the 2nd instant, reports that about a fortnight previous to the 10th October, when she was laying off Jackin, a screw-steamer, barque rigged, with a round stern, steamed close into Jackin, showed Portuguese colours, and steamed directly southward.

The master of the "Astarte," when at Great Popo, learnt from reliable sources that the steamer had appointed to be off Jackin at 2 P.M. on the 10th October, 1863, and from what he heard, he believed that the steamer had arrived at that time and day, shipped 600 slaves by 4 P.M., and steamed.

I am also informed from another source that the steamer passed His Imperial Majesty's steamer "L'Etoile" under English colours, but in consequence of her having those colours the French Commander did not interfere with her.

I cannot refrain from calling your attention to the sad result of the French and English Treaty respecting search having been abrogated, as doubtless had it not been for the great delicacy of the French commander, he would have been able to capture this detestable slave-steamer. Had she been met by one of our cruisers, no doubt French colours would have been used instead of English; thus, through there being no Treaty, the two flags are prostituted with impunity as occasion requires.

I am informed that the speed of this slave-steamer is very great; therefore, with the exception of Her Majesty's ships "Rattlesnake" and "Investigator" (in smooth water), I do not think any of the cruisers could capture her.

I have, &c.

(Signed) LEVESON WILDMAN.

* The Spanish steamer "Cicéron."

No. 102.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, *"Rattlesnake,"* , 1863.
 I BEG to forward a copy of the translation of King Massaba's letter to Her Majesty, which has been made by M. Jules Gerard.

The original letter, in Arabic, was forwarded by Lieutenant Gambier of the "Investigator."

I have, &c.
 (Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 102.

King Massaba to Her Majesty the Queen.

(Translation.)

IN the name of God, the merciful, the almighty, He who has never had and never will have his like.

From the Emir Mahomed Lal, son of Mahlem. May the blessing of the Lord be upon your Queen, and upon her descendants, and upon yourself; such is the wish that comes from an unforgetful and sincere heart, and such are the wishes for her happiness.

Then we inform you that we have received everything that you have sent us, and that we have been very well satisfied with your presents; and I send you, with my warmest thanks, the expression of my strong regard, and all the blessings of Heaven, and also a horse for your Queen.

We will be greatly obliged if you will send us powder of good quality, also coral, silver, and other articles suitable for the use of Sovereigns.

We ask you besides to send us a Royal tent, because this tent, when erected here, will prove that we have accepted the man that you have established between you and us, who is at the town of Lukoja. So be it.

We hope that after that there will be no more trouble in our friendly relationship between him and us. And if untrue words reach you, do not lend your ear to them nor your attention, for we do not take notice in such cases ourselves. And He who makes the straight road directs us there. If it pleases God may his blessing be upon you.

No. 103.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir, *"Rattlesnake,"* December 9, 1863.

THE following few remarks connected with the successful return of the "Investigator" from the Niger in the month of November last will perhaps afford some interest and information to their Lordships.

It seems that Lieutenant Gambier ascended in the steamer as far as Egga, about 360 miles from the entrance of the river; from thence he advanced a further distance of five miles in his boats, and entered a small river up which he went fifty miles to a village called Wanagi, seven miles from Bida, the capital of King Massaba.

Dr. Baikie accompanied him. At Wanagi they were met by King Massaba's messengers, who informed them that horses would be sent down for their conveyance to his town.

The name of this river is not yet given in any chart; neither has it been surveyed. It will be well to call it by some name connected with this year's expedition. It is about 300 yards across in the broadest part, and from 30 to 40 in its narrowest part; depth unknown, but Lieutenant Gambier thinks its average quite two fathoms.

The banks are thick with mangrove and a few trees, but the country is well cultivated, yielding Indian corn and yams. There is also the butter tree, which is about ten feet high, and produces what is called "shea butter," which is used by the natives for food and for greasing their bodies. The leaf of this tree is larger than a laurel leaf, but of the same shape.

There is plenty of cotton, red and white; large quantities might be grown. At every village cotton was brought down for sale.

The country seems well populated with much of the same description of people as in other parts of Africa. All were very friendly and anxious for trade.

The soil appears to be most fertile; cotton, Indian and Guinea corn, cassada, the date, palm, yams, &c., growing in great abundance. The yams are superior to those in most places on the coast, and the climate from all accounts is very healthy; a fresh breeze blowing up from the sea.

Dr. Baikie came on board at Lukoja, his own place about 220 miles up, and was greatly rejoiced to see the "Investigator," as his supplies were exhausted, and he had given up all hopes of being relieved this year.

The missionaries were all landed at those places where they had missions, embarking again when the "Investigator" returned. All the goods, &c., belonging to those gentlemen were likewise conveyed by Lieutenant Gambier up the river.

There are partridges and guinea fowl, also elephants and buffaloes, in the neighbourhood.

From the entrance of the Niger to Egga, a distance of 360 miles, the average depth in the rainy season is between four and five fathoms, excepting in one part of the ship-channel, which was only ten feet; this of course makes it impossible for vessels drawing more water to proceed further than this shallow part, which is about 200 miles up.

There is another passage the other side of the Island, near which this ten feet is, which has not yet been surveyed, and Lieutenant Gambier thinks it highly probable that a deeper channel may be found there.

My opinion, formed upon the information I have been able to obtain, is that it would well repay one Company to take the trade of the Niger into its own hands, encouraged and assisted by a yearly subsidy from the Government, until the trade is regularly and permanently established, and certain profits arise. After this it will be of course for Her Majesty's Government to rescind the charter, and do away with the monopoly as they think proper.

It appears that this single ten foot channel mentioned above is the only obstacle, excepting the river bar, to vessels of large draught of water navigating the river after passing the bar, and taking in their cargoes 300 miles up.

This is a very serious obstacle, but it can be overcome by steamers of light draught towing up large cargo boats or hulks of a considerable size.

The bar is another drawback to vessels drawing much water; there is only twelve feet on it in the rainy season.

A company must therefore be prepared to enter upon their work with two powerful paddle-wheel steamers, drawing when loaded nine feet of water, which is only one foot less than the depth of the channel in its shallowest part, with a good supply of cargo-boats or other conveyances as they may deem expedient for river work.

The ship to receive the cargo must be at anchor outside the bar.

These steamers should be armed with one heavy and one light gun, also a proportion of small arms, rockets, &c., in case of necessity. They should be very fast, well ventilated, and carry at least 100 tons of coal.

A depôt of coal must be in the river at the best selected place, and wood can be obtained very cheap.

I should say that steamers with two rudders would be the best, which will prevent the necessity of turning.

At first some little difficulty will doubtless arise, which must be expected; but the enterprise of British merchants, backed by the energy and skill of British seamen, will conquer every obstacle, and establish a trade in the Niger that will fully satisfy in a few years every one that is really interested in the happiness and prosperity of Africa.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

No. 104.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir,

"Rattlesnake, Accra, November 18, 1863.

WITH reference to their Lordships' communication to you of the 15th September last, I beg to inform you that I have done everything in my power to cause proper attention to be paid to the instructions relative to French vessels being boarded by British cruisers, and to refer you to the inclosed copy of my General Memorandum No. 62, which I have issued to the squadron under my orders on this particular subject.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 104.

*General Memorandum No. 62.**"Rattlesnake," Lagos, August 29, 1863.*

WHEN officers are required for "boarding duty," the undress uniform of cap, frock-coat, and side-arms is on all occasions to be strictly adhered to.

In case of a vessel under French colours being boarded, the commanding officer will note in the ship's log that the boarding officer was in his proper uniform.

(Signed) A. P. EARDLEY WILMOT, *Commodore.*

The respective Captains, Commanders, and Commanding Officers,
Her Majesty's ships under my Command.

No. 105.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir, *"Rattlesnake," Whydah, December 15, 1863.*

ON my departure from Jella Coffee on the 23rd ultimo for Whydah, I left the launch, pinnace, and whaleboat belonging to this ship behind, under the command of Lieutenant Foote, to cruize between the River Volta and Port Seguro, a distance of only seven miles from Little Popoe.

2. I gave instructions to Lieutenant Foote to ascend the Volta by the bar, if possible, in the whaler, and to communicate with the Head Chief in a friendly manner. He was to find out, as far as lay in his power, the capabilities of this river for trade; to discover, in a quiet way, if there was any Slave Trade going on from thence; and to obtain information as to whether arms and powder had been sent up to the King of Ashantee from any of the traders inside.

3. Inclosed is a short report of Lieutenant Foote's proceedings, by which you will see that the state of affairs in the Volta is not satisfactory.

4. I have no instructions relative to any proceedings up the river, but I think it would be advisable to send up a friendly expedition, well prepared for attack or defence, if necessary, with a few presents for the Kings and Chiefs, to show the people what the English power is; to open their eyes to the necessity of giving up the resources of the river to legitimate trade, and that it is not to be closed merely for their own selfish purposes; as also to exact a promise for their future good behaviour.

5. I have every reason to be satisfied with the ability and prudence exhibited by Lieutenant Foote on this occasion, who is an officer likely to do great credit to Her Majesty's service.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 105.

Lieutenant Foote to Commodore Wilmot.

Sir, *"Rattlesnake," Jella Coffee, December 5, 1863.*

IN obedience to your directions of the 23rd November ultimo, I took charge of the boats of Her Majesty's ship "Rattlesnake," and have the honour to make the following report of my proceedings up to this date:—

2. After parting company with your broad pendant I proceeded to the River Volta, off the mouth of which I arrived on the morning of the 27th November. I approached the bar as close as the heavy state of the rollers would admit, and found it impassable in the whaler. I then proceeded to Fish Town, a village on the west bank of the river, and hailed for a canoe, which they answered, but did not send one.

3. I pulled two miles west along the coast, and reached Addafoa, a small trading place, the seaport of Adda, on the banks of the Volta. They endeavoured to send a canoe off for me, which was twice capsized. I anchored for the night, and the next morning pulled for the shore in the whaler, taking the gunner's mate, with lead and line, and four days' provisions. A canoe was sent off, in which I managed to reach the shore, but not without being capsized close to the beach. I was received by Mr. John Bosman, native merchant and Agent to the Bremen Mission, and the Headman of the place, by name Ablo. The latter demanded what I wanted. I informed him that my wish was to ascertain the state of the bar and the depth of the water up the river, as also the condition of the trade that was going on; at the same time requesting canoe-men to take me up. He replied, that with the King's permission he would obtain canoe-men, but I must first go to Adda to see the King.

4. Mr. Dahsa, of the Bremen Mission, and Mr. Robert Bannerman, native merchant, showed me every kindness on landing, and offered to accompany me to Adda, which I gladly accepted, reaching it at 4.30 P.M. in Mr. Dahsa's boat.

5. The King, Akoakoo, having been previously informed of my arrival, immediately sent for me, inquiring what I wanted in the river. I replied that I came with the most friendly intentions, and with a view of opening

trade by crossing the bar; also to find the depth of water in the river, and wished to go to Jopie or Malambi. A consultation was held with the Chiefs, who said that the people would object. I inquired their reason. They said the river had been measured before, and that if the bar was crossed for trading purposes the profits derived from the present system of transshipping goods or palm oil by land to the beach of Addafoa would be lost to the country. I then requested permission to sound from Adda to the bar, which was granted, the King observing he would not guarantee my safety above Adda, nor could I procure canoe-men to proceed further.

6. I remained at Adda for the night, at the house of Mr. Bosman.

7. The next day (28th) I started down the river, and found the soundings vary from 4 to 18 and 30 feet in different parts, and at the mouth I crossed over to the east bank and landed at a small village called Issassana, but the natives live entirely on fish, with no signs of trade.

8. The bar this day was utterly impassable, breaking heavily across the whole length. I sounded the mouth of the river, and found from 30 to 36 feet.

9. I returned to Addafoa, where I found Mr. Bosman in a state of alarm, the King having sent a message that he must go to Adda, which if he did not obey the factory would be burnt to the ground, it having been reported that he had received a letter from me by a fishing-canoe some days previous stating that he was to assist me in bringing up my boats to burn the town, and that he had no right to send a canoe off for me on my arrival. I thereore considered it necessary, for the protection of the Mission and the interest of the native merchants, some of whom are of Accra and therefore claim our protection, that I should at once return to Adda and convince the King of the absurdity of the accusation of Mr. Bosman.

10. On my arrival at Adda the King said he would not see us until the morning. During that night a grand fetish was held, the people being in a great state of excitement from a quantity of rum supplied by Giraldo, a Portuguese slave-dealer, who, I believe, is much against British interest, and was the instigator of this threatened outrage on Mr. Bosman, there being some little difference between them. This Giraldo was clerk to that well-known slave-dealer Lima, of Quittah.

11. I went the next morning, the 29th, to a palaver, at which the King presided, attended by his Chiefs. Mr. Baunerman interpreted for me; they could prove nothing about the letter, and I asked them to produce the man who was stated to have been the bearer; this they were unable to do. Mr. Bosman was then accused of preventing merchant masters trading to Addafoa from sending presents to the King, for which he was to be fined 1,000 heads of cowries; after a long debate this was reduced to 100, which Mr. Bosman agreed to pay rather than be driven from the country, as the natives of Adda are indebted to him to a considerable amount, more especially the head Fetish man. Thus ended the palaver.

12. Whether a simple message I sent by a fishing canoe to Mr. Bosman when I passed Addafoa on my way from Accra to Jella Coffee with the mails excited the ire of the King I cannot say; I gave the man in the canoe a little biscuit for taking the message.

13. I took an opportunity of visiting Fort Konquesteen, to the south of Adda; the bare walls only stand with a small portion of the roof and floor, and I should consider the place hardly worth repair; there is a good clearance to the rear of the fort.

14. The number of inhabitants at Adda I think much exaggerated; I should not estimate its population at more than 4,000 or 5,000.

15. The trade in salt is very extensive, which is obtained from plains a short distance in the interior, and packed in baskets for shipment up the river, where it is bartered at different places for palm oil, which they float down the river and roll across a distance of one mile and a-half to Addafoa.

16. As regards the Slave Trade I am of opinion that no slaves are shipped near the Volta, but are purchased from the country on its banks, and taken by lagoon to Aghwey and the stations along the coast. Giraldo is at the head of the traffic in this locality under the cloak of a palm-oil dealer.

17. I was unable to ascertain if arms, &c., had been sent by the river to Ashantee; but the people, as far as Adda, do not appear on friendly terms with the Ashantees.

18. The authority of the King of Adda does not extend on the east bank of the river.

19. I joined the boats on the 30th November, and I have since been cruising between Cape St. Pauls and Porto Seguro.

20. Cotton grows wild on the banks of the river; and were the people induced to cultivate it a large quantity might be annually exported. The Bremen Mission hope to send some home next year. I think it would be possible for cargo-boats similar to those used at Lagos to cross the bar; and vessels might anchor outside in seven or eight fathoms within a moderate distance.

21. Giraldo, I think, is, if not the sole, the principal slave-dealer at Adda, having more influence than his late master Lima, whose slave he originally was; being intelligent and useful, he eventually became clerk, and for the last few years of Lima's life carried on the whole of the business. He is a tall, well-built, but slight man; does not speak English, although, I think, he understands a good deal.

I have, &c.
(Signed) C. F. FOOTE.

No. 106.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir, *"Rattlesnake," Cape Coast Castle, December 21, 1863.*

IN compliance with their Lordships' letter to you of the 23rd November last, relative to the shipment of slaves from the Dutch Settlement of Elmina, in which I am called to report "some grounds upon which so serious a statement could be made against a foreign Government," I have the honour to make the following reply.

2. It is notorious here that the Dutch Local Government of Elmina does not hesitate to draw its military recruits from Ashantee, in a manner repugnant to the spirit of the Treaty existing for the Suppression of the Slave Trade.

3. At certain times an Agent of the Dutch local Government goes from Elmina

to Coomassie, with instructions to purchase recruits at so much per head, the price being about 9*l.* sterling.

4. This is well known to be the case throughout the whole of the Gold Coast country, and merchants and others, both at Elmina and Cape Coast, are prepared to vouch for the truth of this statement.

5. Recruits are always kept ready at Coomassie, and when bought by the Dutch at Elmina, they are not kept there for the service of the Settlement, but shipped to their Colonies for military and other purposes.

6. Mr. Ross, Colonial Secretary at Cape Coast, and some time Administrator of the Government there, has, I believe, written strongly to the Home Government on this subject; and the present Governor, Mr. Pine, is of the same opinion as Mr. Ross, and has been told by a merchant that resides at Elmina that such are the facts of the case.

7. Mr. Pine fully believes the Report, and the English merchants at Cape Coast, black and white, all highly intelligent men, and who can have no possible object in stating an untruth, corroborate what the residents at Elmina themselves say.

8. I hope in a short time to collect further evidence on this important subject, so important as bearing on the encouragement of the Slave Trade on this coast, and inducing the King of Ashantee to make warlike incursions for this purpose.

9. I believe that the recruits supplied by the King of Ashantee, and bought by the Dutch Government here, are shipped off in transports to the Island of Java; and the interest of the Dutch Government in their Colonies out here would be scarcely acknowledged, if it were not for the means they possess of enabling them to keep up the number, and recruit their armies in Java and elsewhere.

10. The system seems to be even worse than the late French Emigration scheme, now so happily abandoned.

11. I am quite aware of the importance of the communication I have made, and of the responsibility attached thereto, but I feel that I should have failed in doing my duty if I had neglected to report all the circumstances of the case to you.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

P.S.—Mr. Hackett, the Chief Justice, has permitted me to use his name for the following information, which he says is positively true:—

1. Whenever the domestic slaves or servants of the native gentry residing in the Colony misbehave themselves, their masters threaten to send them to Elmina, where they will be sold and sent abroad to the Dutch Colonies.

2. This threat has the desired effect of inducing them to conduct themselves better for the future.

No. 107.

Commodore Wilmot to the Secretary to the Admiralty.

Sir,

"Rattlesnake," Cape Coast Castle, December 21, 1863.

I BEG to submit a duplicate of my correspondence addressed to the Commander-in-chief, being in reply to their Lordships' letter to him of the 27th May, 1863.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 107.

Commander Douglas to Commodore Wilmot.

Sir,

"Espoir," Cape Coast Castle, December 15, 1863.

I HASTEN to offer the explanations called for by your letter of the 12th August, which was only received on the 14th instant.

The Portuguese schooner "Nini" was boarded by my direction on the 22nd November, about 165 miles to the south of St. Thomas. She had on board a cargo of cask-staves, dried fish, farina, and a few cases stated to contain European goods.

The "Nini" produced a Custom-house character from St. Thomas for these goods, as also a pass or certificate of nationality from the Government of Angola.

No log was produced to show what the movements of the vessel might have been, and no bond or certificate of bond for the cask-staves, as directed by paragraph 6, Article IX of the Treaty of 1842.

On boarding the "Nini," and ascertaining the nature of the cargo, I did not think that the want of the bond above mentioned was a sufficient ground for detaining the vessel, all her other papers being correct, though no doubt could exist of the power to do so under the Treaty stipulations.

There being no log-book in which I could record my visit and search, as directed by Article I, I did so on the back of the register (pass), stating that I had searched the vessel, and found the cargo to consist of a slave-cargo, as described in the Treaty, Article VIII, paragraphs 6 and 9, but this cargo being duly manifested, and the bond above mentioned the only document wanting, I had allowed the vessel to proceed.

So far was it from my intention to accuse the "Nini" of being a slaver, I endeavoured to state that though the cargo would induce any one to believe that, from its nature, it was intended for slave-trading purposes still the papers furnished by the Custom-house of St. Thomas being, with one exception, correct, dispelled at once any suspicion of the nature of the trade in which the vessel might be engaged.

I have, &c.
(Signed) SHOLTO DOUGLAS.

No. 108.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir,

"Rattlesnake," *Sierra Leone, January 20, 1864.*

I HAVE the honour to inclose the copy of a letter which I have thought it my duty to send to the President of the Liberian Republic, in consequence of an outrage committed on board the British barque "Dahomey" while at anchor off the Kroo coast, for the purpose of obtaining kroomen in the usual manner for service on board during her stay on this coast.

2. The contents of the letter will forward you all the necessary information on the subject.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 108.

Commodore Wilmot to the President of Liberia.

Sir,

"Rattlesnake," *Cape Coast Castle, December 9, 1863.*

1. I HAVE the honour to bring before your Excellency's notice a very serious case of robbery committed by a number of kroomen, at Grand Nifon, on the 26th July, 1863, when a large cargo boat, perfectly new, and valued at 50*l.* sterling, was forcibly taken away from the British barque "Dahomey," when at anchor there in the pursuit of lawful purposes.

2. It appears from the verbal statement of Mr. Croft, supercargo of the "Dahomey," made to me yesterday on board the "Rattlesnake" at Jella Coffee, near Quittah, that this vessel anchored at Grand Nifon for the purpose of obtaining kroomen, and was soon afterwards boarded and surrounded by a large number of canoes, full of men, who came to be entered for the voyage.

3. It is usual, I believe, for these kroomen, so hired, to receive one month's wages in advance, but the demands of these men were so exorbitant and out of the question that Mr. Croft, the supercargo, would have nothing to do with them.

4. He offered them one month's advance, but they wanted three months'.

5. They then made another most ridiculous demand for compensation to repay them for the trouble of coming off, and asked for at least 100 dollars' worth of goods, to consist of heads of tobacco, rum, cloth, &c., which the supercargo very properly refused.

6. They had come off of their own free will to enter as kroomen in the "Dahomey," about to proceed south for a cargo, and it is simply absurd to suppose that they are, in the first place, to make their own terms, which are most unjust and unreasonable, and because these terms are rejected, that they are, in the second place, to make another most extraordinary demand for compensation, which again being refused, they are to take the law into their own hands, and lastly to commit a most barbarous robbery, by taking away from the vessel a large and perfectly new boat valued at 50*l.* sterling.

7. Mr. Croft declared that he has never heard of or witnessed such a scene as was enacted on board the "Dahomey," when the kroomen were well and civilly treated, but behaved in this scandalous manner. He got under weigh immediately, as he was afraid from the number of canoes, and the noise and confusion, that they might possibly take the ship.

8. I am quite certain your Excellency will be much pained upon the receipt of this intelligence, and that you will give instructions for the immediate apprehension of those chiefly concerned in the robbery, as well as for the restitution of the boat to the supercargo of the British vessel.

9. If the boat cannot be found and given up, I must ask your Excellency to satisfy the claims of the owner by the payment of 50*l.* sterling, and by awarding a severe punishment to the offenders, make restitution for this indignity offered to a British ship carrying on lawful commerce on that part of the coast which claims the protectorate of the Liberian Government, and which protection the Liberian Government is likewise bound to afford to all vessels of a friendly nation according to the rules of international law.

10. Mr. Croft, the supercargo, was not and is not aware of their being such places in Liberia as "ports of entry," or particular specified ports for entering kroomen.

11. The very circumstances of the kroomen themselves coming off in the manner they did, plainly shows that they themselves are either unaware of their being such ports, or they do not recognize the protectorate powers of the Liberian Government.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

No. 109.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir,

"Rattlesnake," Sierra Leone, January 9, 1864.

I HAVE the honour to inclose copies of a correspondence that has passed between myself and the Chiefs of Jella Coffee, relative to a fine imposed upon them by me for the wilful capsizing of a canoe with several seamen belonging to this ship on board, when returning from the shore where they had been for the purpose of obtaining stock for themselves and shipmates.

2. The practice of capsizing canoes with passengers in them because they will not comply with their exorbitant demands is very common on this coast, and I hope the course I have pursued will not only meet with your approbation, but will prevent for the future these diabolical acts, which might be the cause of the loss of many valuable lives.

I have, &c.

(Signed)

A. P. EARDLEY WILMOT.

Inclosure 1 in No. 109.

Commodore Wilmot to John Tay.

Sir,

"Rattlesnake," Jella Coffee, December 7, 1863.

IT is with the greatest surprise and regret that I have heard from Lieutenant Foote and the men who were in the canoe the circumstances connected with the capsizing of that canoe by the canoemen, and the imminent danger of at least three of the seamen who were in her at the time.

All were overboard, but, luckily, the greater number could swim, and were thus able to save their lives.

I have sent Commander De Wahl and Lieutenant Foote, who was in the canoe at the time, on shore to inquire into the case, and have to desire you will give up to me for punishment the whole of the canoemen (with the canoe), or pay a fine to the British Government of 100 dollars.

I am quite convinced that the canoemen were to blame, as the seamen were perfectly sober and steady in the canoe, and could have no possible motive for capsizing the canoe, and thus endanger their lives and property.

You are the Chief of this place, and the trade is in your hands. The principal power and authority rests with you, and you are supposed to be able to govern and control your people.

You are, moreover, supposed to be the friend of England and the English, and by this friendship are doubly bound to assist and protect Englishmen on shore.

Your name and trade has been raised by the British cruisers; in fact you owe all you possess to the kindly feeling and trade of English ships of war on this coast.

Shame, then, to Mr. Tay, that he should permit his people to risk the lives of British seamen.

I implore you, as your friend, and as the friend of the African race, to accede to the terms I have proposed to you; if not you must be prepared for consequences that will probably ruin you and your trade for ever.

I have, &c.

(Signed)

A. P. EARDLEY WILMOT.

Inclosure 2 in No. 109.

*Commodore Wilmot to the Head Chief at Jella Coffee.**"Rattlesnake," Jella Coffee, December 7, 1863.*

THE officers sent to investigate the circumstances that took place yesterday relative to the capsizing of a canoe containing seamen belonging to the English Commodore's ship have returned, and I am glad to find that the Chiefs and head people of Jella Coffee perfectly understand and acknowledge how improper the conduct of their canoemen has been on that occasion.

The Commodore hears, however, that the canoemen who are the principal cause of this very grave offence have run away to escape punishment.

Under these circumstances the Commodore again demands 100 dollars from the Chiefs of Jella Coffee as a fine to the British Government for this gross insult to the British flag.

This money must be paid in hard cash, and not in cattle.

The Commodore gives the Chiefs of Jella Coffee till to-morrow morning at 8 o'clock to pay this fine, and he expects to receive it from an authorized person, who is to bring it off in a proper canoe.

Until this money is paid no communication will be allowed with the shore, no canoes can leave the beach, and no trade can take place between the Chiefs and people and with ships at anchor off this town.

(Signed)

A. P. EARDLEY WILMOT.

The messenger came off at the appointed hour with the money, and with many expressions of regret on the part of the Chiefs that this disgraceful affair had taken place, with a promise, also, that it should never occur again.

I sent back the messenger to say that if such an occurrence did take place again, a far heavier fine would be imposed, and very serious notice taken of it.

This ended the business, and friendly relations were again immediately established.

(Signed)

A. P. EARDLEY WILMOT.

Inclosure 3 in No. 109.

The Chiefs of Jella Coffee to Commodore Wilmot.

Sir,

Jella Coffee, December 8, 1863.

WE have the honour to write you these few lines that the fine of the sum of 22l. 10s., or 100 dollars cash, is hereby sent per bearer, and hope you will accept the same safely, and also hereby beg you that from this time there will be no more dispute amongst us, and that the trade should be opened. If any communication, please and explain to the bearer.

We are, &c.

(Signed) CHIEFS OF JELLA COFFEE.

Inclosure 4 in No. 109.

John Tay to Mr. Lyon.

Sir,

Jella Coffee, December 16, 1863.

I BEG to write you these few lines to say that please to inform the Commodore that after shipping the rest of the crews and master, I am quite satisfied of their going off, I found that they capsized after gone through the surf, been the crews dont sit quietly in the canoe, but I am glad that I came back and see all of them quite safe in the surf-boat and canoes I sent after them. I beg the Commodore will not be objection of the wet of the men, as it is a palaver of accident.

Your obediently,
(Signed) JOHN TAY.

No. 110.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir,

"Rattlesnake," Sierra Leone, January 11, 1864.

I HAVE the honour to reply to their Lordships' letter of the 15th June last, relative to the character of the Slave Trade which is carried on in the neighbourhood of Sierra Leone, and also to state in what manner it is proposed to employ the boats of the "Isis."

2. When I first wrote upon the subject of employing the pinnace of the "Isis" to assist in the suppression of the Slave Trade in this neighbourhood I was not aware that the Governor of the Colony had the power to grant a "deputation" to the master in charge, which authorizes him to stop and search all suspicious boats and vessels, and to act generally in the suppression of the Slave Trade.

3. Inclosed is a copy of the Governor's letter to Mr. Leetham, granting the "deputation" referred to, as also the latter officer's Report on the Slave Trade as carried on in the neighbourhood.

4. I do not consider it nessary for Mr. Leetham to have any further papers or instructions on this subject, as the "deputation" answers every purpose, and you will see by his Report that his frequent visits to the different rivers have had a good effect, and that it does not in any way affect the health of himself or the white quartermaster he takes with him.

5. I inclose also Commander Cochrane's Report on the same subject, which, with Mr. Leetham's, will afford you all the necessary information.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 110.

Mr. Nicol to Mr. Leetham.

Sir,

Secretary's Office, Sierra Leone, March 10, 1863.

I HAVE the honour, by command of his Excellency the Lieutenant-Governor, to forward to you a deputation, under the Privy Seal of the Colony, to seize slaves, &c.

I have, &c.

(Signed) GEO. H. NICOL, Colonial Secretary.

Inclosure 2 in No. 110.

Deputation empowering Mr. Leetham to seize Slaves, &c.

HIS Excellency Major Samuel Wensley Blackall, Lieutenant-Governor in and over the Colony of Sierra Leone and its Dependencies, Vice-Admiral, Chancellor, and Ordinary of the same, &c. To all to whom these presents shall come, greeting.

By virtue of the power and authority vested in me by an Act passed in the fifth year of the reign of His late Majesty King George the Fourth, entitled "An Act to amend and consolidate the Laws relating to the Slave Trade, and in order more effectually to enforce the provisions thereof within the said Colony," Know ye therefore, that having full trust and confidence in the loyalty, ability, and courage of Thomas Leetham, Esquire, Master commanding Her Majesty's ship "Isis," I hereby nominate, constitute, and appoint him, the said Thomas Leetham, for all the purposes of the said Act, my Deputy within the said Colony, and so long as he shall remain therein to seize, detain, arrest, and take all ships and vessels, boats and canoes, or persons, natives of Africa, by him found, treated, dealt with, carried, kept, detained, or confined as slaves on board the same, and all goods and effects whatsoever to the same appertaining or belonging, which shall or may become forfeited for any offence committed against the said recited Act, which shall or may be found within the jurisdiction of the said Colony, and the same having so seized and detained, to prosecute to forfeiture and condemnation.

Given under my hand and the Privy Seal, at Freetown, in the said Colony, this tenth day of March, in the year of our Lord one thousand eight hundred and sixty-three, and of Her Majesty's reign the twenty-sixth.

By his Excellency's command.

(Signed) GEO. H. NICOL, Colonial Secretary.

Inclosure 3 in No. 110.

Mr. Leetham to Commodore Wilmot.

Sir,

"Isis," December 30, 1863.

I BEG most respectfully to acknowledge the receipt of your Memorandum requesting me to report fully on the Slave Trade in the neighbourhood of Sierra Leone, and would commence the subject by saying that it is one on which, in my opinion, the future welfare of the Colony in a great measure depends; but in giving that opinion fearlessly, I shall not only be attacking the interests of numbers here, but also my own, for I, in conjunction with them, hold a deputation from his Excellency the Governor for the purpose of capturing slavers.

The neighbourhood of the Gallinas and Sherbro has been the most noted haunt of slavers for some years past in the North Division, and the inhabitants of that part of the coast (the Kossoos) still retain a preference to that system of Traffic, compared with those to the northward of Sierra Leone, that is, the Soosoos, residing on the Rivers Scarcies, Melacourie, and Fouracarie, who all seem, compared with the above tribe, to prefer agricultural and legitimate trading; but as these pursuits cannot be carried on except with abundance of labour, they are always ready to purchase slaves from the Kossoos. Several captures at different times having been made of these canoe-loads of slaves by parties holding deputations from the Governor of this Colony, has caused increased vigilance on the part of the Kossoos to get the slaves north, and latterly they have fallen back on partial overland routes, the part where they enter this Colony being at a point between Kent and Waterloo, in Yawry Bay; then they cross the Quia country, embark on Sierra Leone river, landing at Tagrein Point; they cross the Bullam country, again embarking in canoes near Leopards' Island, and from thence by sea to the above-mentioned rivers, the country about which is almost entirely inhabited by the Soosoos.

The Traffic between these different tribes comes under the denomination of Slavery where it is the interest of parties to call it so; but to unprejudiced Europeans, and, I believe, even by our own Government, is entitled Domestic Slavery, and that is a very proper term, for it is simply to them the procuring of labour on the only terms upon which it can be procured in the country. Once put a stop to this Traffic, and you aim a blow at the only method of stopping foreign slavery; for let the Chiefs be satisfied that wealth can be obtained by legitimate pursuits here, they will be only too glad to avail themselves of the surplus population to transhipping them to foreign countries. But how will it be if you stop this only method they have of obtaining labour? Let me give an instance. A canoe was seized by Mr. Elliott, the Manager of Kent, last month, under the following circumstances:—One of the servants or slaves who had been, as he considered, unjustly treated, gave himself up to the police at that place as a slave; the canoe was seized, and sent to Sierra Leone for adjudication. A few evenings after, I happened to be visiting at the house of a merchant here, when several natives of respectability called on him to have some conversation on the subject, and they remarked that if every stranger (as the traders from the distant parts of the interior are termed) was liable to have his servants seized under our Slave Acts, no strangers would come. Need I say that if no strangers come the gold and ivory trade is at once paralyzed, for the caravans by which these articles of commerce find their way to the coast are composed entirely of slaves and their masters? As it is, all these caravans find their way to factories on the borders of British territory, but none ever come to Sierra Leone, to its infinite cost. Again, the Kossoos risk capture by running along the seaboard of this Colony, by concealing a smaller number of slaves under bags of rice and nuts, &c.; but the unheard-of agonies suffered by some of these poor wretches for want of air and food whilst cramped up in such holes, has often caused me to fancy that our efforts at the suppression of slavery is a greater curse to them than slavery itself, certainly than domestic slavery. I have had numerous conversations with the natives of these regions, as also with the European merchants, and all agree that the suppression of domestic slavery is not only an impossibility at present, but that the attempt at it is undermining the best interests of the Colony. That it may be accomplished in time I do not doubt, but it must be done by civilizing the people, and the great pioneer of civilization is trade and commerce, which cannot be carried on without labour. Take away the embargo laid on that institution here, and the streets of Sierra Leone would be crowded with natives of regions now terrified to come near us for fear of losing what they look upon simply as servants.

In conclusion, I would observe that the petty wars engaged in by the different tribes in this neighbourhood arise frequently from raids made into each other's territories for getting labour that they cannot get by other means; and that his Excellency the Governor has expressed to me personally his satisfaction at my frequent visits to the different rivers in the neighbourhood in an armed boat, acting as a check on these practices; and my own observations lead me to believe that it has a most beneficial effect; and so far from its affecting either my health or that of the single white Quartermaster I take with me (the rest of the crew being kroomen), we always

look forward to a cruise up the rivers with pleasure, for my own experience leads me to believe that there is no antidote so sure against remittent fever as change of scene.

I have, &c.
(Signed) THOS. LEETHAM,
Master Commanding Her Majesty's ship "Isis."

Inclosure 4 in No. 110.

Commander Cochrane to Commodore Wilmot.

Sir,

"Sparrow," *Sierra Leone*, January 9, 1864.

I HAVE the honour to report to you that I have every reason to believe that there is no such thing on the Northern Division of the West Coast of Africa as any foreign Slave Trade.

2. That I have been constantly up and down the coast, especially from the River Jeba to Cape Mount, passing the mouths of the Rivers Campoonee, Rio Nunez, Rio Ponga, Mellacourie, and the Sherbro; Gallinas, and Soliman.

3. I have been up to the Gambia and Goree, and down to Monrovia, and with some trouble I have endeavoured to find out if any slavery is going on; but every one says there is no foreign slavery on the North Division.

4. I have heard a report that slaves have been taken from near about the River Jeba in small ships of about ten tons, to the Islands of the Cape de Verds, when they are sent by larger ships to Havana, but I cannot obtain any certain information; and I think that now, by our occupation of Bulama, no ships can go from the River Jeba without being very soon known at Bulama; numbers of the inhabitants of the Bulama being slaves who have escaped from Bissao.

5. I am told that the price of slaves is about 35 dollars, and I believe at Havana they are much less. The reason is the great increase of trade, and all labour being required for the cultivation principally of ground nuts, palm nuts, and palm oil.

6. Domestic slavery is much carried on in the interior, but the legal trade and the increasing communication with the interior has made the slaves much more valuable, so many being required for home slavery that the increased price would not pay any one exporting slaves from this part of the coast. I also think that as more land becomes cultivated there will be still greater demand for slaves, that the price will rise, and domestic slavery become greater; that the legal trade is increasing, and that more land is brought under cultivation every year.

7. There is a large (and increasing yearly) legal trade up almost all the rivers from the Gambia to the Soliman River, and though the Chiefs often keep a number of slaves in chains, it is often as a bait to get them sold to any one foolish enough to pay for them; when paid for, information is immediately sent to the Governor of Sierra Leone that a ship is expected to come for a cargo of slaves on such a day; the slaves are kept by the Chief to sell to the next purchaser, and the ship is taken by the cruiser.

8. Liberia I believe to be entirely free from the export of slaves, though I believe much domestic slavery goes on; slavery being required for the cultivation of cotton, sugar cane, ground nuts, &c., &c.

I have, &c.
(Signed) ERNEST G. L. COCHRANE.

No. 111.

Commodore Wilmot to the Secretary to the Admiralty.

Sir,

"Rattlesnake," *Cape Coast Castle*, December 21, 1863.

I BEG to inclose, for the information of their Lordships, the particulars of an ascent up the River Congo by Commander Perry of the "Griffon," accompanied by Captain Burton in September of this year, as well as a chart of the river as far up as they went.

2. I regret that there are no soundings laid down in this chart, but Commander Perry had very little time to spare, and was unable to make any regular survey.

3. The information contained in this Report will be very valuable to the Hydrographer; and I have expressed to Commander Perry my best thanks for the zeal, ability, and intelligence displayed by him on this occasion.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 111.

Commander Perry to Commodore Wilmot.

Sir,

"Griffon," *October 27, 1863.*

I HAVE the honour to inform you that I arrived off the River Congo on August , having on board Captain Burton, Her Majesty's Consul for Fernando Po.

On August 30th I received a letter from Consul Burton, stating that "being about to proceed up the Congo, with a view of determining its source, and gathering information concerning its upper waters, he requested my assistance and protection with the British flag as far as possible up the river."

I therefore, on the 30th August, proceeded with Consul Burton to the French factory at Banana, where M. Victor Parrat (Gérant-en-chef for M. Régis aîné) most kindly placed a small schooner-rigged launch at my

disposal, in which Consul Burton and myself left Banana the same evening, taking with us Mr. Bigley, second master, M. Pichot (an employé of the French house), and six men belonging to Her Majesty's ship "Griffon."

September 1, 7.30 A.M.—Reached Porto da Lenha. From Banana to Porto da Lenha are the following factories standing on the banks of the river:—On the south bank the factories of Senhores Alexandro Ferreira, Guillermo, and Fonseca; on the north bank, Senhores Lima Viana, Régis ainé, and Antonio Fernandes. With the exception of the French house (now deserted) all are engaged in the Slave Trade; those on the north bank were built to enable slave-vessels provided with legal (?) papers and colours to ship their slaves there, avoiding the rather difficult passage round Palm Point, and so having only a straight reach out of the river. The "*Mariquita*" shipped her slaves close to the house of Antonio Fernandes. The houses on south bank were built chiefly to facilitate the transport of slaves to Mangue, Ambrizette, &c.

LIST of Factories at present standing at Porto da Lenha, from West to East.

No.	Owners.	Nation.	House represented by	
1	Senhor Alexandro	Portuguese ..	Senhor Ferreira ..	S
2	Senhor Carvalho	Spanish ..	Senhor Lopes Guimaraes ..	S
3	Senhor Santa Silva	Portuguese ..		S
4	Senhor Oliveira	Ditto ..	Senhor Oliveira ..	M
5	Senhor Fonseca	Spanish ..	Senhor Figueredo ..	S
6	M. Régis ainé	French ..	M. Victor Parrat ..	M
7	Senhor Guillermo	Portuguese ..	Senhor Paulo Vilalunga ..	S
8	Senhor Lemos	Ditto ..	Senhor Lemos ..	S
9	Senhor Ferreira	Ditto ..	Senhor Ferreira ..	S
10	Senhor Barros	Ditto ..	Senhor Barros ..	S
11	Messrs. Hatton and Cookson ..	English ..	Mr. McCulloch ..	M
12	Senhor Fernandes	Portuguese ..	Senhor Monteiro ..	M
13	Senhor Ramos	Ditto ..	Senhor Ramos ..	M
14	Senhor Lima Viana	American ..	Senhor Leopoldo ..	M
15	Herr Kirdyke	Dutch ..	Herr Baak ..	M
16	Senhor Moreno	Portuguese ..	Senhor Moreno ..	M

With the exception of the Dutch, French, and English houses, the whole are mainly engaged in the Slave Trade, which is at present almost at a stand-still, owing to the great difficulty found in procuring ships. Several of the houses are insolvent, and if the present dearth of ships continues must be entirely ruined. The little trade done by the Portuguese in oil and ground-nuts ("*juigubas*") is merely to enable them to purchase provisions, &c.

At present there are two native Kings of the Porto da Lenha country, Ninjala and Ningongo; these Kings are not allowed by country custom to see the river, so are represented at Porto da Lenha by interpreters (or linguists)—Ninjala by Machelle (recently deceased, successor not yet named), and Ningongo by Shimbass. These linguists speak Portuguese well, and receive the customs and tribute levied on the factories, the owners of which have placed themselves under the protection of either one or the other. I have marked the factories belonging to Machelle with an "M," and those to Shimbass with an "S."

September 2.—At 2.30 P.M., left Porto da Lenha for Boma by Maxwell River (called by Portuguese and natives "*N'Canga*"): reached Boma at 1.30 P.M. of the 3rd.

From Porto da Lenha to Boma I found the chart mainly correct, but all the Islands and banks have greatly altered. The two channels "*Mamball*" and "*Konio*" of the chart ought to be called "*N'Shibul*" and "*Sonio*." At the spot where "*Loombee*" is set down on the chart is the modern "*Boma*," Loombee itself being a "*gurtanda*" (or market-place) about three miles north of Boma. The Booka Island of the chart is called "*Zunga Chyá N'Gandi*," on its south-east extremity it is high land well wooded, and would answer admirably for an English settlement. "*Kekay*" of the chart is "*Simule Kete*," it is high, woody, conical, and stony. I beg to enclose a chart in which I have marked in red ink the alterations about Boma, but from the shortness of time at my disposal I was unable to make any regular survey; the alterations are therefore only roughly put in.

The Lightning Stone (or "*Tadi N'Zazzi*" of the natives) is an upright block of granite on the top of a hill, about 1,000 feet above the sea-level; the stone itself is about 30 feet high; the hill is covered with loose granite rocks. "*King's Shield*" (not mentioned in chart) is a flat slab of granite banded with quartz, formed somewhat like a Caffre shield (when looking from the east); it rises perpendicularly up from the water's edge, and is about 40 feet high by 30 feet broad. The current here runs with great velocity.

On reaching Boma we anchored near a small Portuguese schooner, having the body of Machelle (King Mingalo's late linguist) on board; he had been dead upwards of two months; the corpse had been dried by fire, and was about to be taken to the burying-place of the Kings, situated in the middle of the Island of Buku, to be there laid out in state for six months previous to interment. The coffin was about 12 feet long by 4 feet broad, covered with cloth and gold; on the top were three raised knobs, on which were placed two bottles (empty) and a (fancy) dragon's helmet; the body itself (they said) was wrapped in cloth covered with gold and silver ornaments to the value of about 600*l*.

September 5.—Started to visit King Messalla of Chinsalla, the so-called King of Kings of Boma, our object being to procure interpreters, canoes, &c., for proceeding up the river. After forty-five minutes' paddling up the river from Boma, entered a narrow creek between Buku Island and the northern shore, then passed the burying-place of the Kings, and after experiencing some difficulty in crossing a small rapid, reached Banza Chinsalla at 8.45 A.M. Banza Chinsalla is situated on the northern shore of the river, opposite the east end of the eastern-most Chinsalla Island; it affords a good view of the river, and no canoes are allowed to pass it without permission of the King, who is all-powerful as far as Lasugu. We were well received by King Messalla and his Chief Minister Mamboka Prata. Messalla appears to be entirely in the hands of the Mamboka, who is called "*Prata*" (silver) on account of his great wealth; he is worth in slaves and goods over 30,000 dollars, entirely made by the Slave Trade, and chiefly in connection with the French house. After a palaver of an hour and a-half, and our paying the sum of about 15*l*. in merchandize and presents, we procured two interpreters, two canoes, and twenty men, to take us as far as Ninokki, beyond which Messalla cannot send his slaves. I had particularly to assure the King that our expedition was not in any way connected with trading purposes, and that I had not come

with any intention of making "war palaver." I told him that the British Government would always befriend him and advance his country if he would only give up the Slave Trade.

At present the price of slaves at Boma is as follows: a full grown strong man, 25 milreis; a boy, 20 milreis; a young girl, 20 milreis; and for a woman, 15 milreis.

In September 1863 the prices were: for a strong man, 80 to 90 milreis; for a boy 60 to 70 milreis; a girl 80 milreis; and for a woman, 50 to 60 milreis.

LIST of Factories at Boma from West to East, and by whom represented.

Nos.	Owners.	Nation.	By whom Represented.
1	M. Régis aîné	French	Deserted.
2	Senhor Alexandro	Portuguese	Ditto.
3	Senhor Fonseca	Spanish	Senor Manuel Masting.
4	Senhor Antonio Fernandes	Portuguese	Senhor Vincente Pereira.
5	Senhor Oliveira	Ditto	Closed.
6	Senhor Carvalho	Ditto	Senhor Guimaraens.
7	Senhor Lemos	Ditto	Senhor Lemos.
8	Senhor Santa Silva	Ditto	Closed.
9	Senhor Lima Viana	Ditto	Ditto.
10	Senhor Barros	Ditto	Deserted.

The above houses are mainly engaged in the Slave Trade, but at present very few slaves are bought, owing to the great difficulty experienced in shipping them off.

September 6.—4 P.M., left Boma in canoes, and arrived off Banza Chinsalla at 9.30, where we were obliged to land and to hold another palaver, and give some trifling presents (extra). 10, went on till 2 A.M. Stopped to rest paddles at Chingura Point.

September 7.—6 A.M., went on. 8, passed Oscar Rocks, called "Langa ya N'Gondo." Catto Fonda, the easternmost, may be distinguished by a very remarkable tree (a fig) standing on east extremity.

I may here state that all the villages on the river's banks, save one, are deserted, the people having been kidnapped to such an extent that they have retired to the high ground on each side, which I am told is densely populated. The exceptional village is Lusugu, belonging to a Chief named M'Péso, who stopped us with a fierce demand for tribute.

On leaving Lusugu passed the very remarkable island "Boola Becca" of chart, native name "Shika chayá N'Gondo." It is a quoin-shaped mass of rock, with a single fig-tree standing on the thicker extremity. No signs of "weird sisters" visible. About two miles higher up the high land recedes a little, where, fringing the water's edge, is a very beautiful reach of palmyras, a tree called by the natives "N'tebé." On passing Palmyra Reach, land becomes higher, rising abruptly from the low patches of grass at the water's edge to the height of from 1,500 to 2,000 feet. These mountains in the rainy season discharge a great quantity of influents into the river, which influents rushing down into the low grassy patches wash them away, and so form the floating islands fallen in with during the rains off the river's mouths.

On reaching Diamond Rock tracked the canoes with much difficulty, owing to very strong current. Diamond Rock shows (by drift-wood on it) a clear rise of twelve feet in the river. 2 P.M., landed at Nokki Congo of chart; the village had, however, entirely disappeared. Sent up interpreters to Nesudikera, King of Banza Nokki, to announce arrival, and to request men to carry loads.

September 8.—Visited by six Chiefs and about forty men, well armed, who were to carry loads. Started at 9.15 A.M., reached Banza Nokki at 11.30, direction having been south-east a distance of five miles, road over granite mountains plentifully sprinkled with quartz, ground being barren. Found Banza Nokki a village of about fifty wicker-work huts, exceedingly neatly built. It is surrounded by nearly a dozen villages of about the same size. It stands 1,500 feet above the sea-level. About the villages are some very beautiful spots, with plentiful cultivation. Received well by King Nesudikera, a young man of about 22 years of age; he is, however, King only in name, being quite guided by his father, Gidi Mavoungo, and the Head-men.

After an hour's very stormy palaver, the King asked such tremendous sums for permission to proceed on, and to furnish us with the number of men requisite for carrying loads, that we at once saw that it was impossible to get on, until, by quietly waiting some days, they should moderate their demands; I therefore, not having permission to remain away from my ship longer, and having told Gidi Mavoungo and King Nesudikera that the Captains of Her Majesty's ships would inquire constantly after the safety of Her Majesty's Consul, returned to Ninokki and proceeded down the river.

From Boma to Nokki I found the chart mainly correct, but the reaches are very much broken by the sudden turns of the river, giving it a very beautiful appearance, resembling a series of mountain lakes.

The trees on banks are palmyra, calabash, fig, and silk cottons; very little sign of cultivation except near Lusugu, where I observed maize, mandioc, and tobacco.

The climate appeared very salubrious, and the river, being in a perfect trough, there is a constant sea-breeze, which usually continues during the night. I consider there would be no difficulty whatever in navigating the river up to Ninokki in a small steamer of good power, carefully noting the sunken rocks, the position of which may be easily known by the small whirlpools that are found round them.

From Boma to Banana the chief legal trade is palm oil. On the upper waters a trade in ground-nuts is increasing, both of which are capable of immense expansion, particularly that in ground-nuts, which brings 100 per cent. profit. At Boma a bag of ground-nuts weighing 64 lbs. may be bought for 3s. 4d. I need, however, hardly say, that the moment there is a demand for slaves every other trade is at once thrown over.

Boma is evidently the great depôt and chief mart for slaves, who are collected from very distant places.

Boma has the Rio Jacaré on the north side, running nearly to Landoua, and, I believe, meeting, or nearly meeting, the Rio Kacongo; and on the south side the Rio Sonio, connecting it with Ambrizette, Mangué, &c.

The tribes which supply the Slave Trade, I find, are called the "Maxi Congos," the "Mundongos," and the "Misslis."

Between the Misslis and the Mundongos is the lake where the north-east branch of the Congo is said to rise, and the natives describe the lake as being of great size, and having quite a sea-horizon.

On reaching Banana I carefully sounded the entrance to Banana Bay, and found, at dead low water, nothing less than 3½ fathoms.

I have, &c.
(Signed) J. PERRY.

No. 112.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

(Extract.)

January 21, 1864.

COMMANDER HOSKINS reports that on the coast south of St. Paul de Loanda, particularly in the neighbourhood of Novo Redondo and Equimina, the Slave Trade has of late been revived, and he was informed by the Governor of Little Fish Bay that several vessels had escaped during the past year.

A cruizer has been kept constantly on this part of the station, but Captain Hoskins very justly says "that it would require the strength of the division to be doubled to watch it effectually; and the only hope of a complete suppression is through the Portuguese Government, whose territory it is, and who constantly use as an argument for their being allowed to occupy the Congo, that they would and could suppress it there."

No. 113.

Captain Hoskins to Commodore Wilmot.

Sir,

"Zebra," Jella Coffee, January 25, 1864.

IN obedience to their Lordship's orders for me to report the circumstances attending the capture of the American schooner "*Mariquita*" by the "*Zebra*" in March of last year, I have the honour to inform you that the "*Mariquita*" entered the Congo in the end of February 1863 from London to New York under American colours, and was boarded by the "*Bloodhound*" and "*Griffon*." She had previously made two legal voyages to the South Coast.

On my arrival off the Congo on March 10, I relieved the "*Griffon*" in the blockade of the river, and received from sources on shore reliable information that Captain Bowen, late of the notorious slaver "*Nightingale*," was about to run a cargo of slaves in her, openly boasting that he did not care how many cruizers were off the river. I therefore anchored the "*Zebra*" on the Banana banks, where he must pass if he attempted to drift out; and on the evening of the 16th March, sent my boats up the river, having been informed that on that evening the attempt would be probably made.

The next morning (the 17th) I received information she had slipped out the previous night (which was very dark) along the south bank; I accordingly immediately weighed under steam, and captured her the same afternoon standing off the land, and about thirty miles west of Point Padron. On our approach she hoisted Spanish colours, and, on boarding her, the officer (Mr. W. S. Bouchier, who had seen Captain Bowen before) accosted him by name, which he responded to, but declared he was only a passenger; notwithstanding which I sent him to St. Helena, where he was released, and whence he returned to the coast in an American whaler.

It appears that there exists no means of punishing through the Courts at St. Helena men convicted of slave-trading under other than the English flag, as Commander Beamish in vain exerted himself to procure the punishment of the crew of the "*Josephine*" ("*City of Washington*") condemned there by him.

I have, &c.

(Signed) A. H. HOSKINS.

No. 114.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

(Extract.)

"Rattlesnake," Sierra Leone, February 21, 1864.

I HAVE again to call your attention to the shipment of slaves from the Portuguese Possessions south of St. Paul de Loanda.

2. Captain Bythessea informs me that reports have reached him of the escape of several slavers from the neighbourhood of Benguela and Novo Redondo.

3. I have desired him to communicate with the Governor-General on the subject, and to remonstrate very strongly with his Excellency upon such a state of things being permitted where the Portuguese flag is flying.

No. 115.

Lieutenant Hewitt to Commodore Wilmot.

Sir,

"Investigator," Lagos, February 9, 1864.

I HAVE the honour to inform you that on the 27th ultimo, being at the time about three miles south-west of Atakoo, I boarded the British cutter "*Kate*," belonging to Mr. T. J. Clayton, merchant of Accra, and after a careful inspection of the vessel, her papers, and cargo, I deemed it my duty to detain her on the suspicion that she was engaged in or aiding the Slave Trade.

The circumstances under which I detained this vessel were as follows:—

Her Majesty's ship under my command was at the time off Atakoo in search of a very suspicious vessel under English colours, called the "*Louisa*," expected there from Accra.

The cutter was sighted standing off the land, and showed English colours. I sent Mr. Adlam, second master, to board her, and on his return he informed me that the master (a coloured man) said that the papers were locked up and could not be got at; that she had on board a considerable quantity of powder and arms, and eleven large casks. I then went on board with Mr. Maxwell, assistant paymaster, and informed the master that I must detain the vessel until he produced her papers. He then broke open the owner's portmanteau and produced the papers, but the manifest of cargo and Custom-house certificate of the casks were wanting. Three of these casks had water in, the others were empty; they would hold about 120 gallons each. I therefore detained the vessel on the ground of being engaged in or aiding the Slave Trade.

The latter is the most probable, as she is too small to take a cargo of slaves, unless for a short distance to a vessel laying off the coast, and for this purpose I think she was intended.

She had, I discovered, landed at Addah, in the Gold Coast Protectorate, a quantity of powder and muskets which are sent up the Volta to the Ashantees; this I believe to be illegal, and I have written to Governor Pine on the subject.

I placed the vessel in the Vice-Admiralty Court at this place on the 4th instant.

I have, &c.

(Signed) DUDLEY HEWITT.

No. 116.

Commodore Wilmot to the Secretary to the Admiralty.

Sir,

"Rattlesnake," Goree, February 11, 1864.

WITH a view of developing the resources of Western Africa, and of Sierra Leone in particular, it has been determined, by a Committee of gentlemen at Sierra Leone, presided over by the Governor, that an Exhibition of native art, manufacture, agriculture, live stock, and African produce of every kind shall take place (p.v.) there at the close of the year.

I feel quite certain their Lordships will approve of this Exhibition, and that they will encourage it by every means in their power.

The time has arrived when the minds of the natives on this coast must be raised, by some means or other, to a proper perception of their own ignorance and their own requirements.

There has been no improvement in the cultivation of the soil for the last thirty years, nor in their native manufactures.

Nature has supplied all their wants without much labour or expense. What satisfied their ancestors satisfies their descendants now, and education seems to have left them in a worse position than they were before; because, being able to read and write, and possessing a little knowledge of things in general, they are too proud to work, and too indolent to put the spade to the ground. All they think of is dress, and how to make money with the least possible exertion.

One thousand pounds is required to commence the proposed undertaking and set it fairly afloat. Of this sum 250*l.* has been given by the Colony, and 150*l.* already subscribed by the merchants and others.

I am induced to hope their Lordships will assist this Exhibition, and add to the funds required, because I think it will, under God's providence, be the means of

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lifting the veil from the eyes of these ignorant people, and show them how far they are behind in all things connected with the best and most material interests of their country.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

No. 117.

Commander Douglas to Rear-Admiral Sir C. Freemantle.

*"Espoir," at Sea, Lat. 20° 34' N., Long. 28° 18' W.,
March 11, 1864.*

Sir,

IN pursuance of instructions from Commodore Wilmot I called at the Cape de Verde Islands on my way to England, to inquire into questions relating to the Slave Trade, as directed by my Lords Commissioners in their letters to Sir B. W. Walker.

My inquiry was directed principally to these points—

1. The assertion that a vessel, called the "*Atlantic*," with slaves on board, had received refreshments at Porto Praya, Island of St. Jago.

2. The assertion that a vessel, supposed to be the "*Caledonia*," owned in Porto Praya, was engaged in the Slave Trade; and, further, that she had been captured by a British cruiser.

3. If the Cape de Verde Islands were still used by American vessels, *i.e.*, since the date of the Treaty, to complete their slave outfit for a venture to the West Coast of Africa.

To carry out these instructions I first visited the Island of St. Vincent and communicated with Her Majesty's Consul, Mr. Miller; I then proceeded to St. Jago and waited on the Governor. In conversation I mentioned the object of my visit. In reply, the Governor stated he had always done his utmost to prevent the Slave Trade in his Government (which includes Bissao, on the mainland), and requested I would write to him on the subject; I accordingly did so, a copy of which letter I inclose, as well as the answer of his Excellency.

With regard to the "*Atlantic*," I could not obtain any information to substantiate the assertion; no vessel would be granted supplies unless she entered the port, and it is absurd to suppose that any slave-captain would have run such a risk, or that any official would have been mad enough to allow it, as in a place with a mixed population, like Porto Praya, numbers of people would be glad of the chance to denounce the Governor.

The "*Caledonia*," also stated to be the "*Candidia*," proves to be the "*Candinha*," a vessel of about 60 tons.

In 1863 this vessel left Porto Praya on a trading voyage for the coast. The master, with more regard for his own pleasure than the interest of his owner, remained a long time on the coast, forty days at Goree. The absence of the vessel from Porto Praya gave rise to the report that she was slaving. On the return from this voyage she changed hands and made a trip, in November 1863, to Bissao, returning to Porto Praya on the 30th of the month with a cargo of provisions. She, about the end of 1863, sailed for the Island of Brava, thence again for Bissao. This time a report was current that she would be engaged in the Slave Trade; the Governor, as he informs me in his letter, immediately forwarded most stringent orders to his subordinate the Governor of Bissao with regard to the vessel: and my last information, private as well as official, shows that she was closely followed by a man-of-war schooner, who was watching her movements.

With regard to vessels still calling at the Cape de Verde for supplies, some casks and provisions were landed, in June 1863, on the Island of St. Antonio, it was supposed with the intention of supplying some slave-ship; any such intention was frustrated by the watchfulness of Her Britannic Majesty's Consul, who denounced the affair to the Governor.

Further, in September 1853, 150 water-casks were imported into St. Vincent by the Portuguese mail-steamer; on my visit in March they still remained in the Custom-house, and it was supposed they would be sent back to Lisbon.

Though I could gain no positive information on this point, some of this group of islands may be frequented by vessels desirous of filling up their water the last thing before proceeding to the coast.

The small bays in the islands are frequented by whalers, who fish in the neighbourhood; the islands themselves yielding little but water, and in some places salt, are consequently but thinly inhabited.

To search every vessel thoroughly which anchored for a few hours would require a large staff, hence it would be hardly fair to bring a charge of conniving at the Slave Trade against the local Government; and if one or two slave-vessels among many legal traders did obtain a supply of water, any other store, as in this case of the water-casks, could not be formed without attracting immediate attention.

I have, &c.
(Signed) SHOLTO DOUGLAS.

Inclosure 1 in No. 117.

Commander Douglas to the Governor-General of the Cape Verds.

Your Excellency,

"Espoir," Porto Praya, March 3, 1864.

IN accordance with the wish expressed by your Excellency in the interview I had the honour of having this morning, I have now to intimate that, in pursuance of the instructions of my Government, I am to ascertain if any credit can be attached to the report that these islands are in any way used to facilitate the Trade in Slaves, and more especially if any ground exists for the statement that a vessel called the "Candinha," of this port, conveyed a cargo of slaves during last year, and is still employed in this Traffic.

From what passed at the interview above alluded to, I would solicit from your Excellency the co-operation you so promptly offered to afford me, and would be happy to receive such information as may assure Her Majesty's Government that the attention of that of His Most Faithful Majesty has been directed to this subject, and that every precaution has been taken to prevent this Trade being successfully carried out from these islands.

I have, &c.
(Signed) SHOLTO DOUGLAS.

Inclosure 2 in No. 117.

The Governor-General of the Cape Verds to Commander Douglas.

(Translation.)
Illustrious Sir,

*Head-Quarters of the Government of the Province, in the City of Praia,
St. Jago, March 4, 1864.*

I HAVE the honour to acknowledge the receipt of your letter under yesterday's date, informing me that, in accordance with the instructions of your Government, you wish to ascertain if any credit can be given to the saying or reports that these islands have in some manner favoured the Slave Trade, and especially if there exists any foundation for the participations that a vessel named the "Candinha" carried a cargo of slaves last year, and is still employed in this Traffic; also soliciting my co-operation, and manifesting your desire to obtain such information as may assure the Government of Her Britannic Majesty that the attention of the Government of His Most Faithful Majesty has always been efficacious in preventing the success of such speculations in this island.

In answer I must in the first place assure you that in the Cape Verde Islands the heinous Traffic in Slavery is in no way protected, or by any means favoured, being constant and efficient the attentions of the Government and of His Most Faithful Majesty, whose Delegate I am in this Province, to obstruct, pursue, and punish any attempt of that kind which might take place.

In respect to the vessel "Candinha," to which you principally refer, I am convinced that no foundation exists to credit that she already carried a cargo of slaves. However, on this vessel's last voyage to Bissao, some reports having been spread that she was destined for that Traffic, I immediately gave the most positive orders to the Governor of Guinea, which Possession is an integral part of the Province confided to my administration, to employ the utmost vigilance on said vessel. The last news received from thence were, that although she sailed from Bissao without there being the least indication from which to suppose that she was intended for the carrying of slaves, still it being known that the owner was engaged in commercial transaction with the Southern ports of the Portuguese Possessions, the said Governor directed the schooner of war "Bissao" to watch her proceedings, and order her to sail without loss of time, with explicit orders to proceed against her as soon as there appeared a suspicion of any infringement of the Treaty for the complete abolition of the Slave Trade.

Such is the basis of the instructions which I possess from my Government in respect to the object in question, for the accomplishment of which I have employed all my endeavours, and shall continue so to do.

God preserve, &c.

(Signed) CARLOS AUGUSTUS FRANCO.

No. 118.

Lieutenant Hewitt to Commodore Wilmot.

(Extract.)

"Investigator," February 24, 1864.

I HAVE the honour to inform you that the case of the British cutter "Kate," detained by me, as reported in my letter of the 9th instant, was tried this day at the Vice-Admiralty Court at Lagos.

The Court decreed that the "vessel should be released, but that the owner should pay all costs and expenses, there being reasonable grounds for her detention."

No. 119.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

(Extract.)

"Rattlesnake," Sierra Leone, December 31, 1863.

I HAVE the honour to report upon the state of the Slave Trade on the West Coast of Africa between the 22nd October, 1862, and the 31st December, 1863.

Various unforeseen circumstances, connected with my duties on this coast, have prevented this Report from reaching you before, and it is necessarily taken this year very much from the journals of the Commanders of cruisers, although I have been enabled to add thereto by my own personal knowledge of the coast.

North Division.

I am of opinion that no shipments have been made to Cuba or elsewhere from the Northern Division of this station during the last year, as the trade of the different places has so much increased, and the people find it more lucrative to cultivate the "ground nut" and other produce than to export slaves, which is attended with great risk. To keep up this supply of ground nuts, &c., a very large amount of labour is required, and hence domestic slavery is still enforced, which is procured from the Rossoos or native tribes of the Gallinas and Sherbro country. Slaves for this purpose are shipped in canoes and sent overland to the neighbourhood of the Scarcies, Melacourie, and Forecarreah Rivers, inhabited by tribes called the Soosoos. Several captures of slaves shipped in this manner have been made by persons holding "deputations" from the Governor of Sierra Leone, and this leads to great vigilance on the part of those who traffic in them. It is currently reported that canoes have been known to contain slaves stowed away under bags of ground nuts to escape detection.

If the foreign Slave Trade is again revived it will be occasioned by large demands and great increase in the prices formerly given.

It has been reported, and it may probably be the case, that slaves are sent in large open boats from some parts of this coast to the Cape de Verds for agricultural and domestic purposes. I have desired Commander Douglas, of the "Espoir," to make particular inquiries into this while on his way to England, and report his proceedings to the Lords Commissioners of the Admiralty. The establishment of a military station at Bulama has had a great influence in checking the Slave Trade on this part of the station, and I have been enabled in consequence to withdraw one cruiser from the division.

The vicinity of Cape Mount, although suspicious at times, has not induced me to believe that shipments have been made from thence since I have been in charge of the station, and the occasional visit of a cruiser prevents any such attempt being made.

Legal Trade. Very few observations are necessary on this subject. Everywhere legal trade is flourishing, and is carried on principally, if not solely, by the English, French, and Americans. The "ground nut" is largely cultivated, and forms the principal export from Gambia and Goree. Hides are shipped in great quantities from Sierra Leone.

The introduction of machinery for crushing the oil from the ground nut and for other purposes would be of the greatest value, and contribute very considerably to the prosperity of trade.

The resources of the country are, however, still undeveloped, and the natives seem to be contented with merely what the bountiful hand of Nature almost spontaneously produces; they are averse to give the "sweat of their brow" to the cultivation of the soil, and to the rearing of those articles of food and commerce so essentially necessary for the progress and prosperity of their country.

I believe that a substitute has been discovered in France and America, which will do away in a great measure with the present value of the ground nut oil. If this be so, the labour and intelligence of the natives must be directed to the production of those things which the soil and climate of Africa can yield in such great abundance, and which the wants of Europe cannot do without.

What their forefathers lived upon seems still to satisfy them—"sufficient for the day is the evil thereof," and cassada, with a few ground nuts, is the staple commodity of the markets.

At Sierra Leone there is better cultivation, but even this is in small patches of garden ground, just enough to support life and keep them from starving. Coffee grows wild in the bush, but is never thought of. Cotton is of excellent quality, but no attention is paid to it. Arrow-root is of a superior kind; ginger is also very good. But I will do justice to the native farmer, and say that little encouragement is given him by the foreign merchant, who grinds him down to the lowest possible price, which scarcely pays for the labour bestowed, and entirely prevents that extension of cultivated ground which would give the farmer a reasonable chance of increasing his store, and consequently the prospect of adding to the prosperity of the country.

Bights of Benin.

The Slave Trade in this division may be said to extend along the coast from the River Volta to fifteen miles eastward of Whydah, terminating at Godomey. No shipments from the Volta or its neighbourhood have been made, although Senhor Lima, a notorious slave-dealer, now deceased, resided two miles to the eastward of Quittah, and was largely engaged in the trade. There is no doubt that he procured slaves up the River Volta, and sent them inland by Lagoon and other means, to Aghwey and elsewhere for shipment by the first favourable opportunity. Adda, a town on the right bank of the Volta, furnishes slaves in this way, and Giraldo, a Portuguese black, formerly Senhor Lima's head man, is at the head of this traffic, and is largely engaged in it. He pretends to be a palm-oil dealer; but this is merely a subterfuge to cloak his nefarious pursuits.

We have Treaties with Great and Little Popoe and Aghwey, for the suppression of the Slave Trade; but I am convinced that slaves would be shipped from the first and last named places if the Chiefs could do so with impunity. I have sent a very strong remonstrance to the Chiefs of Aghwey reminding them of their Treaty, and telling them in plain terms that I shall inflict a very severe punishment and penalty upon their town if any shipment is made from thence in future, or the slightest encouragement given to the slave-dealers.

I believe that only two shipments have been made from this part of the coast during the past twelve months; the first on the 20th October, 1862, supposed to be the "*Elizabeth*" which took in her cargo at Aghwey. The "*Griffon*," Commander Perry, a most zealous and intelligent officer, used his utmost endeavours to prevent her escape, and was only prevented from doing so in consequence of being short of fuel and giving chase to the French gun-boat (steamer) "*La Motte Pique*," which he mistook for the slave-steamer. This vessel was the "*Noc Daqui*," which has since fallen into the hands of the American Admiral Wilkes for attempting to break the blockade. The second steamer escaped from Godomey with 960 slaves on board, and such was the hurry evinced in shipping them, that a great many were drowned. I understand that the small-pox was raging among them, and from information lately received from Cuba it is reported that the whole of these slaves were seized by the Governor-General after they had landed.

I regret very much the escape of this steamer, as unusual precautions were taken by me to prevent it. The "*Investigator*" had been called out from Lagos, and was stationed at Whydah for a month or two previous to the occurrence, and the division was being reinforced by another vessel from the south.

The "*Rattlesnake*" was also in the Bights, but unfortunately the disturbances at Cape Coast Castle rendered her presence, as well as that of another cruiser, absolutely necessary at that place.

The "*Antelope*" had been placed at the disposal of Captain Burton, and was unavailable at the time when the slave-steamer was expected. Had I been aware of the movements of Captain Burton and that he was absent from Fernando Po, the "*Antelope*" would have been retained on the coast, and the escape of the steamer prevented. If my orders relative to boats cruising and being left in suspected places had been strictly carried out, I think it is very probable that sufficient information might have been obtained which would have enabled the senior officer to stop the shipment.

There is no doubt that the prisoners taken by the King of Dahomey in his annual wars are sold to the slave-dealers and shipped whenever there is a good opportunity. They are marched backwards and forwards along the coast according to the presence of a cruiser, and it often happens that these unfortunate slaves are kept in this miserable state for months previous to their shipment, and that great numbers perish in consequence. Since my visit to the King of Dahomey, in December

and January of 1862-63, that powerful Chief has been most particular in giving directions that slaves, whether purchased from him or otherwise, are not to be shipped from the sea-board of his territory, and I believe that these instructions have been strictly carried out as far as possible.

The population of Dahomey and other countries on this coast is decreasing, and consequently the Slave Trade must decrease in proportion. If these internal wars are still carried on from year to year, death by disease, sickness, starvation, and battle, must necessarily ensue, and be the main cause of the decline of the Slave Trade, unless the Governments of Europe combine together to force the Kings and Chiefs of Africa to give up the traffic, and expel all those engaged in it from their shores.

At present the population is unequal to the necessities of the soil, and vast tracts of rich but uncultivated land are passed over without any signs of the habitation of man. Around the villages only is cassada and Indian corn grown.

What will be the prospect of this country in twenty years' time, should the present state of things prevail? As long as gold is forthcoming, and placed before the eager gaze of the Kings and Chiefs, its power will prove irresistible, and cargoes of slaves will still be seen to cross the "big water."

It will be well to consider this, and, putting all conflicting interests into the scale, devise at once some method whereby this great curse of the world shall be effectually stopped, and Africa be admitted into the brotherhood of civilized nations.

A Consul at Whydah would very much check the evil practices of the slave-dealers in the Bights.

No shipment of slaves has taken place from Whydah since I have been on the coast; and as I have given most positive directions that this long-established haunt of the slave-dealers is never to be left unguarded, I hope that nothing will occur to alter my opinion that this Traffic will ever be renewed there again.

If the present strength of the squadron is kept up, and the detachment of cruisers from their stations is not necessary, I have every reason to hope that, with the assistance of their boats during the healthy season, a vigilant blockade will be established, and success for the future will be the reward of our efforts.

But I wish to impress upon your notice that it is not always possible to keep up the strength of the different divisions, because some are constantly requiring repairs, and must therefore proceed to Ascension, although every possible assistance is rendered from the resources of the "Rattlesnake." One is always on her way to St. Helena for the benefit of the health of the officers and crew, while others are changing stations with each other.

The want of provision and fuel occasions, likewise, the temporary withdrawal of a cruiser from the station. All these circumstances are well known to the slave-dealers, and hence success frequently attends their shipments just at the moment when the cruiser's presence at her post is so essentially necessary.

Arrivals of slave-dealers by the West African mail-steamers constantly occur, and they bring with them not only large sums of money—as much sometimes as 300,000 dollars in specie—but also considerable quantities of powder and rum.

As much as twenty tons of powder and eighty puncheons of rum have been brought out to this coast by these steamers at one time.

The proceedings of the slave-dealers on this coast have been most materially assisted by the opportunity afforded of transmitting agents and goods by these steamers, which thus lend their assistance, indirectly, to the encouragement of the Slave Trade. I know that the most notorious slave-dealers take their passages in these vessels under assumed names, and that the letter-bags are full of communications from persons in Cuba and elsewhere to their agents on this coast.

Legal Trade.—Legal Trade in the Bights has much increased during the last twelve months, and my visit to Abomey has caused a strong feeling in favour of the English.

The bad feeling unfortunately existing between Abbeokuta and Lagos has much retarded the export of palm oil from these parts, and vessels have been detained for a considerable time off Lagos without being able to obtain even a puncheon.

I hope, however, that a better state of things will soon take place, and that the vast resources of Abbeokuta, Ibadan, Jaboo, Benin, Porto Novo, and other inland towns of consequence, whether situated on the banks of the rivers, or even far away from them, will find a ready and remunerative market at Lagos, which seems to be

the natural outlet for the produce of this rich and very important part of the country.

I have seen as many as eleven vessels from 150 to 500 tons at anchor off the bar of Lagos, waiting for cargoes of palm oil; and while I am alluding to this place it seems to be a good opportunity of again calling your attention to the great advantage that would not only accrue to the Colony, but be of the greatest possible benefit to merchants and shipmasters, if the Government would provide two colonial steamers of a certain draught and power for the purpose of conveying cargoes in and out of the river. I am quite certain that these steamers would repay the Government the original cost, as well as for all repairs that may be required hereafter.

Since my visit to Abomey the trade at Whydah has been again opened to a very considerable extent, and the King has given direction that all the produce of his country may be freely offered to the merchants. The beach, which for many years past has been forbidden ground to Englishmen of every denomination, and which was considered fatal to any of our countrymen who landed there, is now all bustle, life, and activity, while the canoes with their native crews seem to vie with each other in their progress to and from the ships and the shore.

Merchants are now able to establish themselves with safety in their factories on the beach; and excellent beef, mutton, fowls, yams, green vegetables of many kinds, eggs, and oranges of the finest quality, are easily to be procured.

I have seen ten vessels at anchor off this place at one time, all engaged in legal trade, during the last twelve months.

Palm oil is shipped in small quantities from Aghwey, Great and Little Popoe, as well as from other small places along the coast, including the Volta and Cape St. Pauls.

At Jellah Coffee, Mr. John Tay, a Chief of much importance in consequence of his comparative wealth, still carries on a large and lucrative trade in fresh stock of every kind. Bullocks, though small, are reasonable in price, 5*d.* per lb., and fair in quality. Mutton is good. Excellent turkeys are to be had from 3*s.* to 4*s.* each, while fowls vary from 6*s.* to 7*s.* per dozen. Good ducks are sold at 10*s.* per dozen. Yams have been very scarce of late everywhere in consequence of the great drought. Onions, tomatoes, pine-apples, cocoa-nuts, &c., are very plentiful.

I believe that these prices are considerable, and that cruisers and merchant-vessels procure them at a far lower-rate.

Protected by Cape St. Pauls, and with capital anchoring-ground, the water being also comparatively smooth and the beach most easy of access, Jellah Coffee would be the most desirable place for a general rendezvous and the establishment of a dépôt ship. Cruisers would be enabled to fill up with coal, provisions, and fresh stock, all at the same time, without leaving their allotted stations, because, taking it in turn, they could relieve each other, and consequently the efficiency of this division would be always preserved.

If their Lordships will sanction this proposition, many advantages in favour of the abolition of the Slave Trade will be most assuredly gained.

1st. The Bights squadron will have no occasion to leave their cruising-ground for provisions and coal. Fernando Po will be no longer necessary as a resort for our squadron. There are no supplies of any kind to be obtained there, and the officers and crew of the "Vindictive" live almost entirely on salt provisions. This dépôt ship would be far more useful at Jellah Coffee than at Fernando Po, which belongs to Spain.

2ndly. The "Vindictive" will be of great use to the Bights squadron for the reception of the sick, who will have a large and well-ventilated ship for the recovery of their health. There is always a breeze blowing along the western coast, which is not the case at Fernando Po, for which reason epidemics are not so likely to occur. The high land at Fernando Po, with its dense bush and jungle, prevents the free circulation of the breeze, which meets with no such obstacle at Jellah Coffee.

3rdly. I have often heard the Commanders of the African mail-steamers express a desire to call at Jellah Coffee for cattle and stock, which, being disposed of at Cape Castle and elsewhere would, they say, well repay the owners, and not in any way interfere with the time allowed for performing their passage. If this can be arranged in any future contract which their Lordships may make with the Mail Companies for this coast, the letter-bags, &c., for the Bights division can be left with the dépôt ship at this place.

4thly. Last, though not least, in the many advantages which a depôt ship at Jellah Coffee holds out will be the great saving of fuel in consequence of the cruisers not being required to perform such long and unnecessary passages, as they are obliged to do at present to Fernando Po and Accra. The coal consumed in this way is very considerable, and the efficiency of the cruisers is much affected by it. All this would be saved if their Lordships favourably entertain the proposition I have made.

The cultivation of cotton is very little attended to in the Bights, although the soil and climate are admirably adapted for its growth. It could be produced in vast quantities everywhere, more particularly in the Dahomian country, at Porto Novo, at Abbeokuta, and all the country in the neighbourhood of Lagos, on the banks of the Niger, and in the vicinity of the palm-oil rivers.

Time, labour, and capital are, however, necessary for its production, and we cannot hope to realize the wishes of those who take such a great interest in the welfare of this country until the expulsion of the slave-dealers shall be complete, and the minds of the Kings and Chiefs directed to a far more permanent and profitable employment.

South Division.

The Slave Trade on this most important part of the station has for the last twelve months evidently been on the decline. The last shipment made from the Congo was in the "*Mariquita*" in March of this year. This vessel was captured by the "*Zebra*," with a full cargo on board.*

On the 9th February of this year the "*Brisk*" captured a schooner of 165 tons, supposed to be the "*Bella Augustina*," with 368 slaves on board, off Annabon. These were shipped in the "*Congo*" on the 27th January, and the master was going to Annabon for water. This vessel was much crowded, and the slaves greatly reduced by neglect and want of food.

On the 12th of August last another vessel was captured by the "*Espoir*," also with a full cargo.†

Commodore Douglas was going to St. Helena, and had directions from me to call at St. Paul de Loanda and Little Fish Bay on his way there. The master of this vessel stated that he had only been a few hours on the coast, and had never been boarded by any of our cruisers.

His place of shipment was Massera, close to Kinsembo, a trading port that has lately been opened, and which has never been suspected as having any connection with the Slave Trade.

This vessel and her owners, whose names are mentioned in Inclosure No. 1, the principal person of which is Senhor Monteiro, of St. Paul de Loanda and Ambrizette, must have used great precaution in the engagement of the vessel and in the shipment of the slaves, which were divided between no less than six different parties.

Beginning from Banda Point, the first place from which any shipment has taken place during the period of my report is Longibonda, and the slaves for this cargo were driven over from the Congo to this place, a distance of at least 200 miles, which must have entailed an enormous expense to the shippers, scarcely reimbursing them, and many deaths must have occurred on the journey.

Kilongo, to the north of Longibonda, has barracoons, in which slaves are kept in small numbers.

Black Point, to the southward of Loango, is always ready to supply slaves and equipments for the Slave Trade, such as casks, staves, &c., which are procurable at all times. American and Portuguese dealers are at hand to ship from this place; and Captain Hoskins of the "*Zebra*" has received information upon which he can rely of one successful shipment having been made.

We have a Treaty with Kabenda, made by myself in former years, but slaves can always be shipped from this place when an opportunity offers.

The "*Lola Montes*," captured by the "*Antelope*," in November of last year, was to have shipped from Londano, and the "*Britannia*" was destroyed at Kabenda. Although there was no actual proof that this last-mentioned vessel was intended for the Slave Trade, Commander Douglas considered that the fact of such a large quantity of plank being on board, for no purposes of legal trade, afforded sufficient grounds for acting in the manner he did, in addition to which

* 471 slaves.

† 583 slaves.

the register produced was made out in the name of the "Mary Isabel," the name of "*Britannia*" being painted on her stern.

It is necessary to watch this part of the coast very closely, and two cruisers are required for this purpose.

The Congo has been for many years the principal resort of the slave-dealers, and the place from which most of the slaves have been shipped.

During the last twelve months the trade has been at a perfect standstill, and since the capture of the "*Mariquita*," in March last, no vessel, with the exception of the Dutch barque belonging to Mr. Elkman, at Banana, has been in the river.

I have lately visited Punta da Lenha, where there are at least twenty factories, only one of which, an English house, is engaged in legal traffic. There is no business of any kind stirring, and the agents in the slave factories are obliged to deal in palm oil as a means of subsistence, but even this is attended with great expense, as it has to be sent down the river, and often remains there a considerable time waiting for the arrival of a vessel.

The slave-dealers here are beginning to think seriously of leaving the Congo, not because slaves are scarcer than usual, but for the simple reason that vessels do not come there to ship in consequence of the increased watchfulness of our cruisers in this locality, and the difficulties they experience in getting away from the opposite side of the Atlantic.

Vessels, except those who are engaged by the regular slave-dealers in different countries, will not enter the Congo for the purpose of taking in a cargo of slaves, although the most advantageous offers have been made to them, on account of the risk attending their escape.

This very much increases the difficulties of the slave agents at Punta da Lenha, in addition to which their misfortunes are increased in consequence of the expulsion of some of their agents from the Havana, and the non-payment of former shipments.

Two vessels, the Portuguese brig "*Resolute*," and the Spanish brig "*Concepcion*," were for sale in the Congo some time back, and would have been purchased but for the want of funds caused by the circumstances mentioned above.

The "*Laura*" and "*Venus*," under Portuguese colours, entered the Congo in February last, from the Havana, and were detained by the "*Zebra*" and "*Antelope*." The "*Laura*" was condemned as a "good prize" to the "*Zebra*," but the "*Venus*"* was released without demurrage, the Portuguese authorities at St. Paul's de Loanda taking particular care to prevent her making an illegal voyage. This vessel afterwards sailed for Lisbon with a regular cargo.

The escape of the "*Ocilla*," with 1,400 slaves on board, from Congo, on the night of the 16th October, 1862, was most unfortunate, and shows the necessity of two cruisers being stationed off this river. This vessel had been most narrowly watched, and was considered to be a safe prize, but, under cover of a dark night, she came down the river with the current, having her sails furled, and keeping well over to the Banana shore. Five days after this escape the "*Mondego*," performed the same feat with 500 slaves on board in a similar manner.

A most suspicious vessel passed up the Congo in December last, under convoy of the Portuguese schooner of war "*Juno*." In her hold were 100 large casks and a quantity of salt fish, and she was fitted with a capacious main deck, capable of holding at least 700 slaves; but whether she effected her escape with any could never be ascertained.

The boarding of the Dutch barque "*Jane*," in October 1862, by the "*Zebra*," proved the necessity of each cruiser being provided with the "special order" to act under the "Netherlands Treaty."

The Commander of the "*Espoir*" was, however, fortunate in being able to take possession of her.

When I landed at Loango in the early part of June last, I came in contact with Captain Bowen, an American, who formerly commanded the "*Nightingale*," and was taken in the "*Mariquita*," a prize to the "*Zebra*," and sent to St. Helena, from which place he had just returned, and was living in the house of M. Parrat, the chief agent on this coast for the French Government emigration scheme.

I found him a most shrewd and intelligent person, very gentlemanly, and with a perfect knowledge of everybody and everything connected with this part of the coast and the Slave Trade.

* She was subsequently captured and condemned,

In my conversations with him on different subjects he was frank and open, and I did not discover until I met with Captain Hoskins afterwards that he was the celebrated Captain Bowen of Slave Trade notoriety.

The banks on both sides of the Congo, as far as Punta da Lenha, have factories established entirely for the Slave Trade. The northern or right bank affords great facility for vessels of large draught taking in their cargoes. The factories on the south bank are solely for the purpose of receiving slaves and transporting them from thence to Mangue Grande, Ambrizette, &c.

At Embomma, or, as it is now called, Boma, the factories are, with three exceptions, deserted, and those that are open labour under greater difficulties than their fellow-dealers at Punta da Lenha. Slaves at Boma, which is only thirty-six miles higher up, are now to be purchased for half the price given for them in September 1860. This will give some idea how plentiful they are, and the eagerness of the dealers for their shipment.

To the south of the Congo at Mangue Grande, and a few other places, the barracoons are reported to be always full. No capture has been made, nor have shipments taken place from these localities during the past nine months.

A barque was captured by the "Zebra" on the 3rd October, 1862, off Mangue Grande, fitted for the Slave Trade, and doubtless would have taken in her cargo.

The coast from this place, even to Ambriz, now belonging to Portugal, requires incessant watching, and the shipment made by the "*Haydee*" in August last, afterwards captured by the "*Espoir*" with 583 slaves on board, shows that, although no shipments have been reported for some time past, still the agents at Ambrizette are always ready, in conjunction with others at St. Paul de Loanda, to ship slaves by every opportunity.

To the south of Ambriz the territory entirely belongs to Portugal, and the authorities are bound by Treaty to suppress the Slave Trade, but I am afraid that this is not carried out to the extent that Great Britain has a right to expect from them.

In September 1862, a Spanish vessel shipped a cargo at Cape Martha, which has been admitted by the Governor of Benguela, who stated that he had sent the only Government vessel at his disposal, a Kabenda boat, with a few soldiers, to endeavour to intercept her.

The Slave Trade has, I am informed, been renewed at Equimina, but this is only temporary, in consequence of the failure of the copper mines at Cuio.

It is reported, on reliable information, that three small vessels escaped from this place at the beginning of the year, and that the slaves on board them were intended to form the cargo of the "*Island Queen*," captured by the "*Wrangler*" in December 1862, when on her way to St. Helena.

The only capture made by the Portuguese was that of a launch off Novo Redondo, with 75 slaves on board.

The senior officer of this division has repeatedly detached a cruiser to this part of the station, but it would require the strength of the squadron under his command to be doubled in order to maintain an efficient blockade. I have desired him to call the attention of the Governor-General of Angola to these shipments being made in the Portuguese territory under his authority, and I have every reason to hope, from the high character this functionary bears, that these practices, so utterly opposed to the spirit and principle of our respective Treaties for the abolition of the Slave Trade, will be put a stop to for the future, and a severe example made of those concerned in them.

The difficulties experienced by American vessels running a cargo are very great; first, they have to evade the British cruisers on the coast; and secondly, the ships of war of their own nation are constantly prowling about Cuba and the adjacent islands in such numbers as makes it difficult to escape detention.

Since the signing of the last Treaty with the United States, which gives to England the right of search, slave-dealers have turned their attention to a different method of gaining their object. Vessels now come out with legal papers and documents, and carrying goods suitable for slave-dealing purposes, they wait for a favourable opportunity of getting off clear with a cargo of slaves.

The total abolition of the French emigration system has had a most beneficial effect. The factories and buildings, &c., belonging to them are now advertized for sale.

Slaves are sent across in small boats from Cape Lopez to Prince's Island, which

has only lately come to my knowledge, and I have sent up a cruiser to this locality.

The system of sending over "domestic slaves" to St. Thomas from Angola is still continued for the purpose of agricultural and other labour at that island. It was reported that these slaves were kept in a depôt there ready for transshipment to the Havana by a favourable opportunity; and in consequence of this report I sent a cruiser purposely over there to make most particular inquiries into the subject.

I am happy to say that this report is without foundation, and that the natives so sent over are entirely for domestic purposes. The Governor-General of Angola is also perfectly satisfied that this is the case.

I have directed the Senior Officer of this Division to send a vessel occasionally to cruise between and around Annabon, St. Thomas', and Princes' Islands, as empty slavers are known to make these islands, especially Annabon, a rendezvous for obtaining water and laying the slave-deck.

The line of Portuguese mail-steamers from Lisbon to St. Paul de Loanda, calling at St. Thomas', must be of great advantage to the slave-dealers on this coast. They are able to communicate frequently and quickly with their agents, and, more important still, they can receive by this means the money for the purchase of slaves, from Europe as well as the Havana, instead of risking it in the vessels intended to ship the cargo.

Small vessels of about thirty tons are fallen in with to the north of the Congo under Portuguese colours. They are from St. Thomas', cleared for St. Paul's de Loanda, and their cargo consists of farinha, rice, salt fish, and staves, which cannot but create a very strong suspicion in the minds of the Commanders of our cruisers that they are more or less engaged in illegal practices.

It is well-known that the articles above-mentioned are produced much cheaper at St. Paul's de Loanda than at St. Thomas'.

Legal Trade.—The trade in palm and ground-nut oil is increasing; copper ore and ivory are also obtained from many places on this coast. Regular traders are employed in collecting these articles.

The copper mines of Bembé are said to be yielding excellent ore, which is worth 40*l.* a ton.

The valuable dye called orchilla is not so plentiful as formerly.

The trade at St. Paul's de Loanda seems to be very brisk, and large quantities of beeswax, hides, and coffee of good quality, though not equal to that grown at St. Thomas', are being constantly exported.

At Loango there is an English house belonging to Messrs. Hatton and Cookson of Liverpool, in charge of Mr. Hannah, long resident on this coast, and who has also a factory at Kinsembo; he deals largely in ivory tusks, copper ore, and gum, and ships annually large quantities to England. M. Parrat had also a factory of considerable size at Loango, in which many hundreds of slaves, or rather immigrants, could be housed. As this factory has been given up, the English house alone remains at present.

To the north of Loango a considerable trade in ebony is carried on, but I doubt much if there is any legal trade of importance in these parts.

In the Congo the only person that carries on a regular trade is Mr. Elkman, a Dutch merchant, residing at Banana, and he sends 800 tons of palm-oil annually to Rotterdam. His vessels lay alongside his factory, which is a great convenience for shipping.

The European settlers between the Congo and Ambriz are very diffident and reserved in giving information relative to the produce of the country.

Kinsembo, which has only been established since Ambriz was unfortunately given up to the Portuguese, contains English, American, and Dutch factories, all of which are doing a good trade in ivory, gum, and copper ore. Excellent coffee is also produced here, which, though the berry is small, is of exceedingly good flavour.

Very capital beef can be procured at this place of a fair average price, and vegetables can be easily grown.

There is no doubt that the trade will increase at Kinsembo, and that more factories will soon be established.

At St. Paul's de Loanda very good beef, mutton, and poultry are to be obtained at a reasonable price, with vegetables of all kinds, as well as fish in great abundance.

Cassada and the ground nut form still, however, the principal articles of growth and consumption, but the yam is not largely or successfully cultivated.

At Mossamedes, or Little Fish Bay, beef and vegetables are of superior quality; potatoes are excellent, but poultry is not cheap. The Governor of this Settlement is most favourably disposed towards friendship with our officers, and the suppression of the Slave Trade.

In consequence of our cruisers being able to distil their own water, Prince's Island is rarely visited by them, although formerly it was constantly resorted to for the purpose of completing water.

There is scarcely any trade at Fernando Po, nor is it of any use whatever to our squadron under present circumstances; there are no fresh provisions of any kind, and the "Vindictive" might be far more profitably employed at Jellah Coffee.

General Observations.

In bringing this Report to a close I would beg to offer a few observations.

It will be a source of congratulation to their Lordships and the country that the Slave Trade during the last twelve months has been considerably on the decline, the cause of which I have endeavoured, though perhaps imperfectly, to explain in my previous remarks.

The war now existing between the Northern and Southern States of America has, doubtless, very materially assisted the efforts of our cruisers, and intimidated the old and long-established agents of the slave-dealers on this coast from risking their money and their ships in such an uncertain speculation.

The will for entering into these nefarious proceedings is still the same, and the demands from Cuba reach these shores with great and increasing urgency.

If the Kings and Chiefs can be brought to recognize the benefits of legitimate trade as compared with the uncertain profits arising from the sale of their fellow-creatures, they will in a great measure facilitate the accomplishment of this desirable end, and do more for the real benefit of their country than can be effectually carried out by a hundred cruisers, unless these cruisers establish a close and rigid blockade, in spite of the flags of different nations.

There is no doubt that we can coerce the Kings and Chiefs of Africa into giving up the Slave Trade, and that the power of these Chiefs to continue it has been very much magnified.

I am quite certain that one year's blockade would force the King of Dahomey to listen to our terms.

Whenever this potentate is put down all minor Chiefs will follow his example.

My Report upon the state of the Dahomian country will have fully explained all the difficulties on this head.

The Kings and Chiefs of Africa keep up their position, dignity, and power entirely by the imports from the white man's country.

They cannot do without cloths from Manchester, iron, rum, tobacco, and silks from England, with powder and arms from the same place, also gold and silver ornaments of every description, which makes them so dependent upon the ships that come from across the sea, that if these articles of trade and usefulness were stopped the whole influence possessed by these native Governments would be upset and their very existence jeopardized.

It is from this knowledge and from these considerations that I unhesitatingly affirm the certain destruction of these Governments whenever a well-devised pressure is put upon their actions.

The people live almost entirely and are kept together by what they receive from their Kings during their annual customs. Stop this, and the result will be a looking to themselves for their every day subsistence and the cultivation of the soil for the common necessities of life.

Cuba well guarded, and the Governor-General determined to do his duty, will also be a principal cause of the abolition of the Slave Trade.

Portugal must also be sincere in her efforts to put down the Slave Trade on this coast. There is no doubt that slaves have been shipped from their possessions south of St. Paul's de Loanda, whether with the knowledge of the Government officials I will not pretend to say.

I believe Brazil to be perfectly honest with regard to the abolition of the Slave Trade, as far as the Government of that country is concerned, and although vessels carrying the Brazilian flag have again appeared in the Bights, I do not think they

have gone there for illegal purposes. Unless we come to some understanding with France, I am afraid that the French flag will be often used as a protection from the right of search, and that we shall have great difficulty in doing our duty and carrying out our instructions so long as this subterfuge is permitted.

I have mentioned that slaves are shipped from Elmina by the Dutch authorities and sent over to their colonies in Java; these are brought from the King of Ashantee, who has always a large number ready. It is reported that these slaves are shipped in Government vessels, but I will not vouch for the truth of this. I have never met a Dutch ship of war on this coast.

There are no American ships of war of any kind out here, and the Spaniards have only a schooner gun-boat at Fernando Po.

The French Rear-Admiral, Laffon de Ladébat, has his flag flying in the "Armorique," screw frigate, and his head-quarters are at the Gaboon. There are only two or three small paddle-wheel vessels under his command; the steamers at Senegal, ten in number, all paddle-wheel and mostly built of iron, being entirely colonial.

They are commanded by a Capitaine de frégate who resides at St. Louis.

I hear that Spain intends to send out a Commodore to this station.

Inclosure I in No. 119.

RETURN of Slavers Captured on the West Coast of Africa, of which information has been received between October 23, 1862, and December 31, 1863.

Date of Sailing from last Port.	The Vessel's				Owners.	Cargo.	Intended		Captured.		Remarks.	
	Name.	Nation.	Reg.	Tonnage.			Place of her Shipment.	Number of Slaves.	By what Ship.	Date.		Place.
Unknown ...	Britannia ..	Unknown	Schooner	Unknown	— Meecham	Planks, 1,040 ft.	Unknown	...	Espoir ...	1862 Sept. 19	Cabenda ...	Had a certificate of registry in the name of the "Mary and Isabel," but "Britannia" was painted on her stern. Destroyed by Her Majesty's ship "Espoir." Length 70 ft., breadth 18 ft., depth 13 ft. Spanish colours were shown for a short time while "Zebra" was approaching, but were hauled down before the vessel was taken. All papers were destroyed, and the captain declined giving any information.
Ditto	Unknown ..	Ditto	Barque	Ditto	Unknown	Rice, and slave equipments	Ditto	Unknown	Zebra ...	Oct. 3	At sea, lat. 6° 48' S., long. 12° 30' E.	
Oct. 9, 1862.	Jane ...	Dutch	Ditto	290	M. B. Gisira	Ballast	Ditto	Ditto	Espoir ...	" 15	Point Padron	
Oct. 30, 1862	E ...	Portuguese	Cabenda boat	13	Martino Barbosa, of St. Paul de Loanda	Ground nuts; 5 negroes	Ditto	...	Ditto	Nov. 2	Mangue Grande.	This boat contained 90 slaves, 9 of whom jumped overboard from fright and were drowned; the remainder, consisting of 9 men, 8 women, 45 boys, and 19 girls, were sent to St. Helena, in the "Libertad." These slaves were part of her cargo.
Unknown ...	Unknown	Unknown	Ditto	Unknown	Unknown	81 slaves	Ditto	...	Zebra ...	" 20	River Congo	
Ditto	Libertad	Ditto	Brigantine	200	Ditto	Slave provisions	River Congo	700	Ditto	" 20	Ditto.	
Aug. 21, 1862	Lola Montez	Ditto	Ditto	180	Ditto	Water, rice, and calavances	Loandao	Unknown	Antelope.	" 25	Cabenda.	No papers or colours. On her stern was imperfectly painted "Josephine;" her proper name was the "Island Queen," of Washington. Shipped in the Congo, and was proceeding to Annobon for water. Vessel crowded and slaves much reduced by neglect and want of food.
Uncertain	Island Queen	Ditto	Ship	460	Spanish	Slave provisions	Unknown	1,300	Wrangler	Dec. 23	Lat. 14° 37' S., long. 9° 19' E.	
Jan. 27, 1863	Unknown, supposed to be the "Bella Augustina"	Ditto	Schooner	165	Unknown	365 slaves—89 men, 119 women, 79 boys, 88 girls	...	...	Brisk	1863 Feb. 9	Off Annobon	
Unknown ...	Laura ...	Portuguese	Brigantine	140	Havana	Rum, &c.	Unknown	Unknown	Zebra	" 10	Punta da Lenha, River Congo	Condemned in Mixed Commission Court at St. Paul de Loanda. Slaves and vessel in good condition. Captain Bowen (late "Nightingale") in command. The "Zebra" had been watching the "Maragata" for some time in the Congo. She dropped down during the night, and would have escaped had there been any wind.
Ditto	Maraguita	American	Fore-and-aft schooner	153	Unknown	471 slaves	Shipped in the Congo	471	Ditto	Mar. 17	Lat. 6° 8' S., long. 13° 11' E.	
Aug. 11, 1863	Unknown, supposed to be the "Hay-dee"	Unknown	Brig	200	Monteiro, of St. Paul de Loanda	588 slaves—365 men, 101 women, 117 boys	Shipped at Massena, ten miles north of Kinseumbo	588	Espoir	Aug. 13	Lat. 7° 34' S., twenty miles off the land	

December 31, 1863.

(Signed)

A. P. EARDLEY WILMOT, Commander and Senior Officer, West Coast of Africa.

Inclosure 2 in No. 119.

RETURN of Vessels which are said to have Escaped with Slaves on board, from the West Coast of Africa Station, between October 23, 1862, and December 31, 1863.

Date of Sailing from last Port.	The Vessel's						Place of Shipment.		Date of Shipment.	Remarks.
	Name.	Nation.	Rig.	Tons.	Owner.	Cargo.	Name.	Division.		
Aug. 2, 1862	Ocilla ...	American ...	Barque ...	500	Unknown	1,400 slaves	River Congo	South ...	Oct. 16, 1862	Escaped in the night.
Unknown ...	Mondego ...	Portuguese ...	Schooner ...	100	Ditto ...	500 "	Ditto ...	Ditto ...	" 21, "	
Ditto ...	Supposed to be Elizabeth	Supposed to be American	Screw steam barque	Unknown	Ditto ...	1,000 "	Aghwey ...	Bights ...	" 20, "	
Ditto ...	Unknown ...	Unknown ...	Brig or barque	Ditto ...	Ditto ...	800 "	Longebonda	South ...	March 1863	Reported by Captain Hoskins, of the "Zebra," who states that the slaves were driven over from the Congo.
Ditto ...	Supposed to be City of Norwich	Ditto ...	Screw steam barque	Ditto ...	Ditto ...	960 "	Godomey ...	Bights ...	Oct. 10, 1863	

December 31, 1863.

(Signed) A. P. EARDLEY WILMOT,
Commodore and Senior Officer, West Coast of Africa Station.

No. 120.

Commodore Wilmot to the Secretary to the Admiralty.

Sir,

"Rattlesnake," Cape Coast Castle, April 5, 1864.

WITH reference to my letter of the 20th January last, forwarding a duplicate of my letter to the Commander-in-chief of the same date, with its inclosure, relative to an alleged outrage said to have been committed on the barque "Dahomey" by kroomen of Grand Niffon, and which I had represented to the President of the Liberian Republic, I beg to submit a copy of his Excellency's reply thereto.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 120.

Mr. Blyden to Commodore Wilmot.

Sir,

Department of State, Monrovia, February 5, 1864.

I AM directed by the President to acknowledge the receipt of your despatch, dated Cape Coast Castle, 11th December, 1863, relative to a cargo-boat said to have been stolen from the English barque "Dahomey," by kroomen at Grand Niffon on the 26th July, 1863.

I am to convey to you the expressions of the President's sincere regret at the very reprehensible circumstances under which, according to Mr. Croft's statements, the "Dahomey's" boat was seized, and to say that the President, upon full investigation of all the facts connected with the case, finds that there can be no claim for indemnity for the seizure of the boat which this Government would feel itself bound to satisfy.

This Department has learned from James Mc Harriott, Esq., of Liverpool, connected with the well-known firm of Hatton and Cookson, of that city, who visited Niffon soon after the "Dahomey" left there, that Mr. Croft refused to pay the kroomen for services rendered him, and that he was quite willing to let them have the boat for what he owed them.

Mr. Harriott, as a British subject, asked for the boat, and recovered it. It is at present in his possession, with the barque "Fairy Queen," now on the coast, of which he is supercargo. Mr. Croft's own conduct, as Mr. Harriott alleges, is the sole cause of his troubles with the natives.

I am further directed by the President to say that, even should Mr. Harriott's statement not prove correct, the act of Mr. Supercargo Crofts in going to Niffon, and anchoring there for the purpose of transacting business without entering his vessel at the regular ports of entry, one of which was but a few miles above Niffon, was a clear violation of the laws of Liberia, and derogatory to the character of one of Her Majesty's subjects, who, being a frequent trader to this coast, ought to have known of the existence of ports of entry in Liberia, and not have allowed himself to perpetrate an offence to the sovereignty and dignity of the Republic by violating its laws regulating commerce and revenue.

In view of these considerations, the President cannot admit the claim of Mr. Croft to indemnity from this Government. It is a principle of international law that no Government can be responsible for any damages that foreigners may sustain who enter its territory without the knowledge of the authorities, and for the purpose of prosecuting enterprises in contravention of the laws of the country.

The President desires me to avail myself of this occasion to request you to urge upon Her Majesty's Government, in view of difficulties frequently arising between British subjects and the aborigines, the necessity of re-appointing as soon as possible a Consul at Monrovia, to represent British interests in Liberia.

I have, &c.

(Signed) EDWD. M. BLYDEN, Secretary of State.

No. 121.

Commander Perry to the Secretary to the Admiralty.

Sir,

"Griffon," at Ambrizette, February 8, 1864.

I HAVE the honour to inform you that at daylight on the morning of the 8th February, Her Majesty's ship under my command being at anchor off Ambrizette, a brigantine was observed standing in for the land to the northward. I immediately weighed, and chased under steam and sail.

At 11.30 A.M. I came up with, boarded, and detained chase, which proved to be a brigantine of about 200 tons, without name, papers, or colours, and fully equipped for the Slave Trade.

I therefore dispatched her, under the charge of Lieutenant Acklom, of this ship, to St. Helena for adjudication.

I have reason to believe the detained brigantine to be the "*Venus*," which vessel was detained and taken to Loanda by Her Majesty's ship "*Antelope*" in February 1863, but was then liberated by decision of the Mixed Commission Court.

I believe that on this last voyage she cleared out from Cadiz in November last, and was to have shipped her slaves at Bahia Fonta.

I have, &c.

(Signed) J. L. PERRY.

No. 122.

Commodore Wilmot to the Secretary to the Admiralty.

(Extract.)

"Rattlesnake," Cape Coast Castle, April 4, 1864.

AN English brig, the "*Black Prince*," on her way from Sierra Leone, from whence she sailed on the 11th March, reports having seen two suspicious-looking steamers hovering off Cape Palmas and Cape Three Points.

I shall, therefore, leave to-morrow morning for the Bights to give information on this subject, and watch their movements.

No. 123.

Commodore Wilmot to the Secretary to the Admiralty.

Sir,

"Rattlesnake," off Lagos, April 21, 1864.

HEARING that two suspicious-looking steamers had been seen off Cape Palmas and Cape Three Points, at the end of last month, I left Cape Coast Castle on the 5th instant, and anchored for a few hours at Accra the following day. Coasting along under sail and steam, according to circumstances, I anchored at Jellah Coffee on the evening of the 7th. "*Pandora*" arrived at the same time from her cruising-ground in the neighbourhood.

2. I anchored off Porto Seguro on the evening of the 10th, and the next morning arrived at Little Popoe, where the "*Philomel*" was at anchor. Commander Wildman has been very active in settling the disputes between this place and Aghwey, according to my directions, and I am happy to say that a friendly Treaty has been made, which I hope will prevent disturbances for the future.

3. I left Little Popoe on the 16th, and communicated with the "*Investigator*" off Aghwey, and "*Speedwell*" a few miles to the westward of Great Popoe. I anchored at Whydah on the morning of the 17th. "*Zebra*" was in the roads.

4. I was informed by the Rev. P. W. Bernasko, Wesleyan missionary at Whydah, that the King of Dahomey has been defeated by the Abbeokutans while attempting to enter their town, and that his loss has been very severe in men and women. The King was pursued for three days and nights and nearly captured, his horse being taken. I cannot find out the exact number slain—some say 5,000, but I should think 1,000 nearer the truth, and that they are mostly amazons.

5. The Abbeokutans have not suffered so much, although the battle was a long one.

6. Report says the King is much cast down, but again preparing for war.

7. There were eight merchant-vessels at anchor off Whydah waiting for cargoes. Domingo Martinez, the once celebrated slave-dealer, died about a month ago, leaving a large fortune, all of which goes to the King.

8. Leaving this port on the morning of the 19th, I anchored off Jackin the same forenoon. The "Antelope" is stationed here. There is a good trade in palm oil. Godomey is two miles inland to the westward. I have written to the head men of this place, calling upon them to give up the Slave Trade. It is reported that slaves are collecting here for another shipment by steamer.

9. When the "Jaseur" and "Sparrow" arrive in the Bights the squadron will be very strong; and I trust the escape of the steamers may be prevented.

10. There are large slave barracoons at Appi, which can be easily destroyed.

11. I left Jackin on the morning of the 20th, and passing Porto Novo, off which there is a small French steamer of war, and Badagry, where there are several merchant-vessels, I anchored at Lagos on the afternoon of the 21st. After receiving the mails from England, I leave immediately for Ascension.

12. There is only one small schooner at Lagos.

13. The "Lee," tender to this ship, touched the ground at the mouth of the River Nazareth on the 19th ultimo, but without sustaining any damage.

14. I am leaving this part of the coast earlier than I intended, in consequence of hearing that Captains Barnard and Bythesea, with several officers, have invalided and gone home.

15. While writing this despatch the "Jaseur" has arrived from Fernando Po, after completing her service in the oil rivers. I will endeavour, if possible, to forward Commander Grubbe's Report of his proceedings by this mail.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

No. 124.

Commodore Wilmot to the Secretary to the Admiralty.

Sir,

"Rattlesnake," Ascension, May 1, 1864.

I HAVE the honour to inclose, for the information of their Lordships, the copy of a letter I have received from the Secretary of State of Liberia, in reply to mine of the 11th December, 1863, relative to a cargo-boat said to have been stolen from the English barque "Dahomey," by Kroomen, at Grand Niffon, on the 26th July last.

2. Their Lordships will see that the statement made to me by Mr. Croft, supercargo of the "Dahomey," is denied by the Government of Liberia, who say that the boat was voluntarily given up to the Kroomen for services rendered, and in payment for what he owed them. The Secretary of State also states that the boat has since been restored to Mr. Harriot, supercargo of the "Fairie Queen," now on the coast.

The President further directs him to say that, "even should Mr. Harriot's statement not prove correct, the act of Mr. Supercargo Croft in going to Niffon and anchoring there for the purpose of transacting business without entering his vessel at the regular ports of entry, one of which was but a few miles above Niffon, was a clear violation of the laws of Liberia, and derogatory to the character of one of Her Majesty's subjects, who, being a frequent trader to this coast, ought to have known of the existence of ports of entry in Liberia, and not have allowed himself to perpetrate an offence to the sovereignty and dignity of the Republic by violating its laws regulating commerce and revenue. The President, therefore, cannot admit the claim of Mr. Croft to indemnity from this Government." In conclusion, the President requests me to urge upon Her Majesty's Government the re-appointment of a Consul at Monrovia.

I cannot look upon the explanations given in this letter from the Secretary of State as at all conclusive of the point at issue; first, because I have since seen Captain Watts, who commands the "Dahomey," and he confirms, word for word, the statement made to me by Mr. Croft. There has been no made-up story between them. Captain Watts, who has been for ten years on this coast as master and mate of trading-vessels, is not aware of such places as "ports of entry." It has been, and is generally the custom to obtain Kroomen from that part of the Kroo coast which is first made; vessels come in and anchor, and Kroomen come off by hundreds.

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I am not aware myself of any "ports of entry," and I do not think such ports are publicly known.

I can quite bear out Mr. Croft's statement as to the number of canoes and men that would be likely to come off to the "Dahomey" when she made the land, and cause a great deal of annoyance, because in my passage up the coast under steam, at the end of last year, with topgallant-masts struck, about three miles off the land, and not going very fast, the "Rattlesnake" was chased by a large number of canoes full of men, who no doubt thought that we had come to this part of the coast for the purpose of obtaining Kroomen. I was obliged to stop more than once to avoid them.

In a small vessel like the "Dahomey," which had not the advantage of steam, and probably with only very light winds, it is not at all unlikely that the canoes would surround her, and forcibly obtain an entrance on board. There was no port of entry, that I am aware of, in the neighbourhood above alluded to.

5. Secondly, why was the boat given to Mr. Harriott if it had been voluntarily turned over to the Kroomen by Mr. Croft as part payment for what he owed them? The boat was either forcibly taken away by the Kroomen, or it was voluntarily given up. If the former, the Government of Liberia is bound to protect British ships and British subjects from the violence of those who are supposed to be under its sovereignty, and prevent them taking the law into their own hands, even supposing they had not gone to the regular ports of entry for Kroomen. But where are the regular ports of entry? If the latter, then the boat became the *bonâ fide* property of the Kroomen in payment of a debt due to them from Mr. Croft, and therefore Mr. Harriott, even as a British subject, had no claim whatever on the boat afterwards.

6. The Secretary of State says: "Mr. Harriott, as a British subject, asked for the boat and received it." He could not recover that which did not belong to him, nor to the "Dahomey," because the Secretary of State says the supercargo of that vessel "had given it to the Kroomen in payment of what he owed them."

7. Again, is it any reason that a British merchant-vessel, anchoring upon the coast of Liberia out of the limits of these so-called ports of entry, should be subject to such acts of lawlessness and piracy as the "Dahomey" was, merely because they came there, or because the supercargo refused to listen to the outrageous demands made upon him by these Kroomen?

8. The Liberian Government is, or is not, able to protect those who come to their coast for legal purposes, and it either has, or has not, authority over those natives who reside in that territory over which it claims jurisdiction, and which it pretends to rule with sovereign right.

The Secretary of State says: "I am further directed by the President to say that, even should Mr. Harriott's statement not prove correct, the act of Mr. Supercargo Croft in going to Niffo and anchoring there for the purpose of transacting business without entering his vessel at the regular port of entry, one of which was but a few miles above Niffo, was a clear violation of the law of Liberia."

Supposing this to be the case, was it any reason for the Kroomen, subjects of Liberia, to behave in the manner they did, and take the law into their own hands, without reference to the seat of Government?

10. But merchant captains and others deny that there are such places as ports of entry; and the Secretary of State is not certain that Mr. Harriott's statement about the boat being delivered over to the Kroomen as payment of a debt is correct.

I must apologise to their Lordships for this long statement, and I have to request they will give me instructions for my future proceedings in the matter.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

No. 125.

Commodore Wilmot to the Secretary to the Admiralty.

(Extract.)

Whydah, July 8, 1864.

I LEFT Cape Coast Castle on the morning of the 2nd July, remained at Accra for a few hours, and then went on to Jella Coffee, where I anchored on the

afternoon of the 3rd. "Pandora" was there, and I received the two mails that had arrived in the Bights since my departure for Ascension.

On the morning of the 7th I left Jella Coffee, and communicated with the "Ranger" off Fish Town. The same afternoon I fell in with "Jaseur" off Little Popo, and turned over to Commander Grubbe the Command of the Bight Division.

I then communicated with "Speedwell" between Aghwey and Little Popo, anchoring at Whydah, at 9 A.M. on the 8th, where the "Zebra" is stationed.

I have supplied each of the cruisers in passing with a turtle from Ascension.

As the "Zebra" and all the squadron are short of coals, I shall watch Whydah until her return from Fernando Po, with a supply for all of them, after which I intend to take the "Antelope's" place off Appi, and let Lieutenant Allingham go away for the same purpose.

I cannot help mentioning here again particularly, as every cruiser is required to watch the Spanish slave-steamers, the great advantage of a depôt ship at Jella Coffee, in preference to sending them off their stations to Fernando Po.

Such is the intelligence, energy, determination and perseverance of these slave captains, that all our movements are known, and every manœuvre tried to baffle our vigilance.

The commanders of the cruisers are men whose zeal cannot be doubted, but they have a very up-hill game to play, unceasing watchfulness is necessary, and this upon a coast where there is no change and no relaxation from duty.

A great advantage which these slave-steamers possess is, that they have an unlimited supply of coals. The "Cicero," so near captured on the 7th May, off Porto Seguro, arrived with 600 tons of coal on board. They are thus enabled to exhaust our resources, and leave us empty-handed when the critical moment arrives.

I am sorry to say that the health of both officers and crews of the Bights Division has not been so satisfactory this year as it was during the past year.

No. 126.

Commander Perry to the Secretary to the Admiralty.

Sir,

"Griffon," at Sharks' Point, June 5, 1864.

I HAVE the honour to inform you that at 6.20 A.M. of June 3rd, when steaming out of Congo (to proceed south), I observed a large felucca and small fore-and-aft schooner off Point Padrone. I immediately went on full speed in chase, when the schooner stood to the southward and felucca bore up for the beach.

6.40. Observed felucca run on shore and large numbers of negroes escape from her through surf into the bush.

Most of these negroes leapt from the vessel unchained, but I observed one gang of about thirty apparently, thrust overboard chained together. On nearing beach, I sent cutter and whaler in charge of Mr. Richards, gunner, to endeavour to land and recapture the slaves.

Went on in "Griffon" in chase of schooner, which I boarded, and found to be under Portuguese colours and laden with powder for Ambriz.

I then returned and anchored off felucca.

10.30. Mr. Richards returned on board, bringing with him a slave-chain on which were thirty shackles for the neck, which he had picked up on edge of surf.

He also reported that felucca was fast breaking up, owing to the heavy surf running. I therefore ordered Mr. Bigley (second master in charge), Mr. Richards (gunner), and chief carpenter's mate to proceed to wreck, to endeavour to get as accurately as possible her measurement and then to destroy her, which I completed by firing a shot into her hull.

I cannot at present succeed in procuring any reliable information concerning the felucca or her destination.

I beg to inclose a copy of the report made to me by Mr. Bigley (second master), Mr. Richards (gunner), and chief carpenter's mate, concerning survey and measurement of felucca.

No colours were shown by felucca.

I have, &c.
(Signed) J. L. PERRY.

Inclosure in No. 126.

Report.

IN pursuance of your order of this day's date, We whose names are hereunto subscribed, proceeded to examine the Slave felucca run on shore this morning while being chased by Her Majesty's ship under your command.

We found her bilged on the port side, masts having fallen overboard, and by all appearances she was beginning to break up fast through the heavy surf running in at the time. She was totally unfit to undertake a voyage to St. Helena. With great difficulty we succeeded in obtaining the following dimensions: Length from afterpart of stem to forepart of stern-post, 68 feet. Breadth, at 23 feet abaft the stern, 18 feet. Depth of hold, from under side of deck to keelson, 10 feet four inches. And we declare that we have taken this survey and measurement with strict care and accuracy.

"Griffin," *Turtle Cove, Congo River, June 3, 1864.*

(Signed)

CHARLES J. BIGLEY, *Second Master.*

OLIVER RICHARDS, *Gunner.*

ELLER Mc KELLER, *Chief Carpenter's Mate.*

No. 127

Commodore Wilmot to the Secretary to the Admiralty.

(Extract.)

Jackim, July 8, 1864.

THE "Rattlesnake" will take the station off Whydah until the arrival of the next outward mail, when I shall go to Lagos to superintend the Niger expedition.

I have filled up the complement of the "Investigator," and sent also a few extra hands.

As we are very short of medical officers, two having lately died, and another, Mr. Whitaker, being very sick on board the "Antelope," I have taken advantage of Dr. Eales, Colonial Surgeon at Lagos, who is most anxious to visit the Niger, and has volunteered to go.

He will have charge of the medical department, with Mr. Sweatnam, supernumerary assistant surgeon of this ship, under him.

Dr. Eales' health is not of the best, but his knowledge of the African climate, manners, and customs, &c., will be most valuable.

Lieutenant Knowles is also not very strong, so I have deemed it necessary to assist him with Lieutenant Sandys of this ship, a young officer of zeal and intelligence.

Everything will be provided by me, as was done in the last expedition, for the health and comfort of both officers and men, and I have requested Acting Governor Glover to hire a large boat at Lagos for carrying an extra supply of coals.

This year has been a fatal one in the Bights, but as the fine season is approaching, I trust that the health of the officers and men, under Divine Providence, will be restored, and that everything will go on satisfactorily.

No. 128.

Commodore Wilmot to the Secretary to the Admiralty.

Sir,

"Rattlesnake," off Whydah, July 11, 1864.

I HAVE the honour to inclose copies of the Treaty made by Commander Leveson Wildman, between the Chiefs of Little Popo and Ahgwey, on the 20th April last, and in doing so I beg to point out to their Lordships the difficulties this officer had to contend with, and the very great exertions made by him to successfully accomplish this desirable end.

2. All trade had been stopped for more than a year, and merchants and others were beginning to feel very uneasy. The consequence has been, that they turned their attention to the Slave Trade for support, but I have now every reason to hope that a good legal trade will be again re-established, to the exclusion of the other.

I have, &c.

(Signed)

A. P. E. WILMOT.

Inclosure 1 in No. 128.

Commander Wildman to Commodore Wilmot.

Sir,

"Philomel," at Little Popo, April 21, 1864.

I HAVE the honour to inform you that peace is made between the towns of Aghwey and Little Popo.

2. The terms and agreements in writing, signed by the head men of both towns, are enclosed.

3. I trust that you will consider I was justified in deviating slightly from your instructions to me, namely, "To insist on the delivery of Peter Cudjoe to you, for passage to any place on the coast, &c.," before trying to arrange matters.

4. My reasons for using my own discretion on this point, are based on the letter addressed to you by the head men of Little Popo.

5. You will see by the agreement that I have insisted on the right being given to you of removing Pedro Cudjoe, in the event of his making war from Little Popo, and the head men of that town being unable to prevent him.

6. Hoping that my conduct may meet with your approval, I have, &c.

(Signed)

LEVESON WILDMAN.

Inclosure 2 in No. 128.

Agreement with the Chiefs of Aghwey.

WE, the Chiefs of Aghwey, do hereby faithfully promise from henceforth not to attack or molest the town or people of Little Popo, always provided that our town and people are not attacked or molested by the people of Little Popo.

In the event of the person calling himself Pedro Cudjoe, or any other person from Little Popo, attacking or molesting our town and people without the concurrence of the Head Men of Little Popo, we reserve to ourselves the right of dealing with the person or persons according to our native laws, without making war on Little Popo.

Two years ago we promised the commander of the British man-of-war "Spitfire" not to attack or make war with Little Popo; he promised us that the people of Little Popo should not be allowed to attack us while the "Spitfire" was here at anchor off our town, and after we had given our faithful promise to her Commander, the Little Popo people came here, assisted by the Awoona people, to burn our town. We did nothing until they were close to and firing at our town, thinking that the "Spitfire" would prevent them, as her Commander had promised. Instead of doing so she steamed about and the officers looked through their glasses, enjoying the sight. When we promise a great nation anything, and an officer of that nation promises us, we keep our promise and expect the great nation to keep her promise. We kept our promise; the great nation of England did not keep theirs. This makes us cautious.

(Signed)

LEVESON WILDMAN, *Commander and Senior Officer.*

EKOOM, his X mark.

ILEY VI, his X mark.

TETTE KUEY, his X mark.

TAMMI, his X mark.

TOLKY GIREYHU, his X mark.

KUSSE GANZIZO, his X mark.

KUCKU AVOOYI, his X mark.

PHILIP GOO, his X mark.

JOE, his X mark.

Witnesses:

(Signed)

F. S. MEDEIRO.

JOSEPH DAWSON.

The promise (in writing) mentioned by the Chiefs of Aghwey was produced and shown to me in the presence of Mr. Dawson, Interpreter, and all the Head Men.

I know that their promise has been truly kept, and from what I hear from trustworthy persons, I fully believe that their statement respecting the "Spitfire" is in all respects perfectly true.

(Signed)

LEVESON WILDMAN, *Commander.*

Certifico em como é certo ou relatado em este documento, e em o documento passado pelo o Commandante di vapor de guerra Ingles "Spitfire."

Aghwey, April 20, 1864.

(Signed)

FRANCISCO JOSE MEDEIRO.

Inclosure 3 in No. 128.

Agreement with the Headmen of Little Popo.

WE, the head men of Little Popo, do hereby promise to the Commodore Wilmot and Commander Wildman that we will not carry on the war with Aghwey from this day forth. We further promise that we will not molest any of the people belonging to that place from this date.

In the event of the person calling himself Pedro Cudjoe, or any one else that it would be inconvenient for us the head men, to punish, stirring up any disturbance or carrying war from their own town of Little Popo to the

friendly town of Aghwey, we hereby agree to give the person or persons up to the first British man-of-war arriving here, to be conveyed without restraint during the passage to Whydah, where they will be landed and allowed to follow their own desires.

Little Popo, April 13, 1864.

(Signed)

SUTLEJ TOBU, his $\times$ mark.
LEGGIRO, his $\times$ mark.
QUAREE HATTA, his $\times$ mark.

Witness :

(Signed) J. DAWSON.

This paper was brought to me by the head men of Little Popo on Monday, 18th April, 1864.

After they had given it to me it was read to them and thoroughly explained to them by Mr. Dawson, interpreter, who, by my direction, asked them if they thoroughly understood the meaning of the paper brought, and if it expressed what they wished to say and promised.

They all answered, "Yes, it has been written for us by our direction."

(Signed) LEVESON WILDMAN, *Commander.*

Witnesses :

(Signed) JOSEPH DAWSON.
JAMES M. TUNSEN.

Inclosure 4 in No. 128.

The Headmen of Little Popo to Commodore Wilmot.

Honoured Sir,

WE, your servants have been brought to understand by your letter that we are to deliver up to you our friend Pedro Cudjoe, to be landed at any other place he chooses. We are obedient to your advice, but we beg to state that it is impossible for us to do that, because he is a native of this place, Little Popo, and there would be great disturbance between us and his family, and it would raise a civil war. We beg to state that it would not do, but we have promised not to make any more war, and that if he declares war we will stop him, and if he is determined on it, we will give information to any of Her Majesty's ships of war in order that they may interfere.

We are, &c.

(Signed)

SUTLEJ TOBU.
LEGGIAO ABBOKEE, his $\times$ mark.
QUAREE, his $\times$ mark.

No. 129.

Commodore Wilmot to the Secretary to the Admiralty.

(Extract.)

"Rattlesnake," off Jackin, August 7, 1864.

I HAVE the honour to report for their Lordships' information, that a messenger from the King of Dahomey arrived at Little Popo, while I was at anchor there on the afternoon, 4th instant, having come up from Whydah by lagoon, accompanied by Mr. Bernasko, Wesleyan Missionary, on purpose to see me.

He was desired to see me "face to face."

The purport of the message was "That the King was anxious to see me at Abomey; that he did not like Burton; and it was not likely he would make any treaty with him after refusing his friend the Commodore. That if I would come he would tell me what was in his mind, and send a proper message to the Queen."

I replied, "That it was not likely the British Government would send another messenger to the King, whose conduct evinced a want of sincerity. That I was sorry he did not like Burton, who was an authorized Commissioner from the Queen, and therefore his words ought to have been considered. That I should certainly never visit Abomey again, but, nevertheless, had the same interest in the peace and prosperity of the country, as I expressed to the King at the beginning of last year. That presents had been made, and a sincere desire evinced by the British Government to be friendly with Dahomey, but all to no purpose. It was not likely that these would be repeated. Such a course would be beneath the dignity of a great nation. The King must give something in return."

I then said, "Tell the King from me that I still wish to be his friend; that he must hearken to my words. His late defeat at Abbeokuta has humiliated him very much, and lost him many warriors; how are these to be replaced? These constant wars are fast decreasing the population of Dahomey, which, in a year or two will crumble away. He cannot sell his slaves, because the coast is too well guarded. He has many enemies, who are awaiting the favourable moment for destroying him and his people; Abbeokuta on one side, the tribes from the Kong Mountains, the Independent Chiefs near Lagos and Porto Novo, the sea tribes to the westward, and Ashanta; all these will most certainly attack Dahomey if the English blockade his ports. How can he get his supplies if we prevent them from being landed?

he is now so dependent on the white man for arms, powder, rum, cloths, iron, tobacco, wine, &c., that he cannot do without them, nor feed his people.

"What will he then do? There is not enough produce from the soil for him and his people to live upon; they will turn away from him, and get their living on their own account. It must be so; let him give his attention, then, to trade and the cultivation of the ground.

"Suppose Abbeokuta were to send 30,000 men against Dahomey, what will become of the King? It would be too late to make friends with England, and offer to do what is now required. Tell him to think seriously of these things. All nations will rejoice at Dahomey's fall, if the King falls in a bad cause. Let him send his principal chiefs to Whydah, and give them full authority to treat with me, if the British Government authorize me to do so."

The messenger acknowledged that all I said was true, and promised to deliver my reply most faithfully. I then dismissed him, with the customary presents.

No. 130.

Lieutenant Dunlop to the Secretary to the Admiralty.

Sir,

Sierra Leone, August 20, 1864.

I HAVE the honour to report, for the information of my Lords Commissioners of the Admiralty, that from circumstances arousing my suspicions, I, on the 2nd day of August instant, proceeded on board the Italian ship "*Riccarda Schmidt*," then at anchor in this port, and found her fitted out and equipped for the Slave Trade, contrary to the provisions of the statute 5 Geo. IV, cap. 113, she having on board as follows:—

1st. A complete second or slave deck.

2nd. An extraordinary number of casks, capable of containing a very large quantity of water, for which the master has produced no certificate of security having been entered into, that the said quantity of casks should not be used for other than legal purposes of trade.

3rd. Several extra boilers below, and in addition to those used in the cooking house for the crew of the vessel.

4th. I also noticed several apparent discrepancies between the papers and the statements made to me, that two guns mounted on deck, eighteen rifles concealed in a side cabin, and eleven kegs of powder in the hold, were all properly mentioned in the papers; whereas, upon examination, I found that the places left in the equipment hold for those other articles were blank. I also found that though the Captain declares he has been boarded by several men-of-war, whilst on this coast, there is not one entry to that effect made in his log-book by an English boarding officer. Under those circumstances, I, acting on the written opinion of Mr. Huggins, Queen's Advocate, and Mr. Dougan, also an Advocate, and one of long standing, seized the said "*Riccarda Schmidt*" and placed her in the Vice-Admiralty Court, for adjudication, as a vessel liable to forfeiture to Her Majesty, by her being found in British waters, fitted out and equipped for the Slave Trade, contrary to the provisions of the said statute, 5 Geo. IV, cap. 113. On a subsequent visit I discovered, concealed in the run of the vessel, a large boiler; and again, in the search made by the Marshal of the Court, two more boilers were found.

It is my firm belief that this vessel has only been deterred from shipping a cargo of slaves by the strict blockade now existing in the Bights.

Trusting my conduct will meet with their Lordships' approval, I have, &c.

(Signed) W. DUNLOP.

No. 131.

Commander Battiscombe to the Secretary to the Admiralty.

Sir,

"Snipe," of Congo, July 6, 1864.

I HAVE the honour to inform you that the boats of Her Majesty's ship under my command, whilst away cruising off Longo, in charge of Lieutenant Shuckburgh on the 1st July captured a barque, name and nation unknown, and fully equipped for the Slave Trade, in latitude 3° 54' south; longitude 10° 45' east.

2. She had no papers or colors, and I have this day sent her to St. Helena for adjudication, in charge of Lieutenant Shuckburgh, with a prize crew of twelve men.

I have, &c.
(Signed) A. BATTISCOMBE.

No. 132.

Lieutenant Dunlop to the Secretary to the Admiralty.

(Extract.)

Sierra Leone, August 31, 1864.

I HAVE the honour to report to you that I have discharged to Her Majesty's ship "Gladiator," for passage to England, the remainder of my prize crew, excepting Mr. Leacock, Sub-Lieutenant, who, being a witness in the case of the Italian vessel "Ricarda Schmidt," I am obliged to detain here.

Inclosure in No. 132.

Lieutenant Dunlop to Mr. Huggins.

Sir,

Sierra Leone, August 2, 1864.

I HAVE this day boarded the Italian ship "Ricarda Schmidt," now at anchor in this port, and I found that she had cleared out from Genoa for the Coast of Africa, also that she has on board the following equipments:—

1. A complete second deck fore and aft.
2. Seven full casks, containing about 130 gallons of water each.
3. An extraordinary number of empty casks capable of containing about 150 gallons of water each; and the master produced no certificate to say security had been entered into that those casks should not be used for other than legal purposes of trade.
4. In addition to the utensils used (in the cooking place) for the crew, I found below one boiler of from 4 to 5 gallons capacity, another of from 2 to 3 gallons capacity, two saucepans of 2 gallons capacity, and another of about 1 gallon.
5. I found on board two guns, mounted on deck, eighteen rifles in a side cabin, and eleven kegs of powder in the hold.

I have the honour now to request you will favour me with your opinion on the legality of my detaining and seizing this vessel.

I remain, &c.
(Signed) M. J. DUNLOP.

No. 133.

Lieutenant Shuckburgh to the Secretary to the Admiralty.

Sir,

St. Helena, September 2, 1864.

AS per instructions, I beg to report my arrival at St. Helena, with the slave vessel, name and nation unknown, on the 21st July, 1864, which was condemned in the Vice-Admiralty Court of this Island on the 1st August, 1864.

Cargo, fittings, and hull sold by auction, realizing net 431*l.* 5*s.* 10*d.*, particulars of which, with the Marshal's and auctioneer's signature, will be forwarded to the Admiralty by the Registrar appointed here.

I have, &c.
(Signed) C. J. SHUCKBURGH.

No. 134.

Commander Jones to Commodore Wilmot.

Sir,

"Sparrow," Lagos Roads, August 23, 1864.

I HAVE the honour to inform you that having, pursuant to your orders, inquired into the circumstances which gave rise to the complaints made by the Commander of the Portuguese packet "Zaire" against the Commander of this ship, for the manner in which the duty of boarding was performed by him on the 1st of March, 1864.

That Lieutenant Ommanney having been the officer who performed that duty, I have thought it right to call upon him to give a detailed account of what took place on the occasion in question, which I have the honour to inclose.

I have, &c.
(Signed) L. F. JONES.

Inclosure in No. 134.

Lieutenant Ommanney to Commander Jones.

Sir,

"Sparrow," Lagos, August 23, 1864.

I HAVE the honour to report that, on the 31st March, 1864, in obedience to the orders of Captain Cochrane, I boarded the Portuguese mail-steamer "Zaire" to ascertain if she was a Portuguese mail-steamer, and also if she was engaged in the Slave Trade. As from information that I received on shore at Loanda, and which I reported to Captain Cochrane, we were led to believe that these mail-steamers were not only in the habit of carrying slaves under the name of libertos, but also of receiving slaves from vessels sent to meet them.

On boarding her I first examined the papers. I then proceeded to compare the papers with the cargo and to ascertain that the number of libertos agreed with the number of passports shown to me for this purpose. I fell them in on one side of the fore-castle, and through a Portuguese seaman serving on board this ship I asked them several questions as to where they were bound to, and endeavoured to ascertain if they answered to the names on the passports.

There was also a large travenda or cargo-boat towing alongside. I inquired what she was, &c., and was told that they were in the habit of towing these boats. I desired to see their papers, and after some delay they were shown to me.

The captain of the mail-steamer and the white passengers were standing round me during this time, and their remarks and behaviour were very provoking, and at one time I thought I should have had to call the men out of the boat to prevent their interrupting me in the performance of my duty.

I cannot account for the charge of discourtesy brought against me by the captain of the mail steamer, as I was most careful not to do or to say anything that could possibly be construed as an uncivil or unofficer-like action, for I observed that the Portuguese were much excited at being boarded, and that they would seize the least opportunity to bring any charge against me that they could.

I imagine that this charge was brought as I insisted on having the passes, libertos, &c., produced, though they protested against it, and were very unwilling to do anything I requested.

I have, &c.
(Signed) F. M. OMMANNEY.

No. 135.

Commodore Wilmot to the Secretary to the Admiralty.

Sir,

"Rattlesnake," off Lagos, August 24, 1864.

I HAVE the honour to acknowledge the receipt of their Lordships' letter of the 11th July, 1864. Respecting the Cuban Slave Trade—

2. Their Lordships will observe that Mr. Crawford says, "It is positively stated here that the 'Ciceron' has again succeeded in landing 1,600 Bozal negroes in this Island" (Cuba).

3. The steamer that so nearly fell into our hands on the 7th May last, off Porto Seguro, was supposed to be the "Ciceron," and there have been no slaves shipped from the Bights during the present year.

4. I reported to their Lordships that two steamers were in this neighbourhood in March last, the "Ciceron" being one of these; since then the Bights have been too well guarded for even a steamer to ship, and hence the probability that one of these at least, finding this to be the case, went South to the Congo, and during the absence of the "Archer" shipped these 1,600 slaves.

5. I was afraid of this at the time; and when the "Archer" was sent away from Ascension to Sierra Leone, felt convinced that something would occur on the South Coast; and their Lordships may remember my anxiety, as expressed in my letter of proceedings from Ascension on this subject.

6. The presence of the "Archer," with her boats, in the Congo would have effectually prevented the shipment of these slaves, and if they were shipped from any other place, the necessity of another cruiser taking the "Archer's" station during her absence would have enabled the steamer to take advantage of the opening thus caused.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

No. 136.

Commodore Wilmot to the Secretary to the Admiralty.

Sir,

"Rattlesnake," off Lagos, August 25, 1864.

BY a prize crew belonging to the "Dart"—which came down from Sierra Leone in the "McGregor Laird," and arrived here on the afternoon of the 22nd instant, on their way to Fernando Po—I hear that this cruiser has captured a schooner and brigantine, both empty, one of which has been sent to Sierra Leone and the other to St. Helena, for adjudication.

The schooner was taken on the 7th July, between Cabinda and Banana Point, having Danish colours up when the "Dart" approached, but which were afterwards hauled down. All kinds of flags were on board, including the Confederate.

The brigantine was captured off Mayumba, on the 24th July, having Italian colours flying, but these were afterwards hauled down, and the captain said he did not claim the protection of any nation.

Both these vessels were equipped for the Slave Trade.

The "Snipe" has, I am told, also taken an empty barque, which has been sent to St. Helena.

A large Italian ship, the "*Ricarda Schmidt*," of nearly 700 tons, has been seized at Sierra Leone, by Lieutenant Dunlop, who brought round the "America" from the Cape of Good Hope.

This ship has been hovering about the coast for the last twenty months, and has frequently offered to run a cargo of slaves, but no one would venture the risk.

When at Accra, in July last, I heard she was suspicious, and after dark, having left the anchorage for the southward, I sent back two cutters, manned and armed, under a Lieutenant, with orders to search her and bring her to Jella Coffee to me if suspicious. The boats did not arrive till the following day, on account, as the Lieutenant states, of a strong current, when the ship had sailed.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

No. 137.

Commodore Wilmot to the Secretary to the Admiralty.

(Extract.)

"Rattlesnake," off Lagos, August 25, 1864.

I ARRIVED at this anchorage from Whydah and Jakin on the morning of the 21st instant.

The mail from England did not come in till the afternoon of the 22nd. Dr. Crowther and the Commander of the "Sparrow" were on board; the latter joined his ship here, as she was waiting for the mails for the squadron, having left her boats behind at Jakin to guard the station.

The "Investigator" comes out to-morrow, the 26th, and I shall immediately tow her on to the Niger, and prepare her there for the expedition.

It will be necessary for me to supply Lieutenant Knowles with fifty tons of coals, and I have provided everything for the health and comfort of both officers and men.

From the Niger it is my intention to visit the Benin, and endeavour to bring affairs there to some satisfactory conclusion. After this I shall proceed south to the Congo and St. Paul's de Loanda.

I beg to inclose copies of instructions, &c., for the guidance of Lieutenant Knowles during the Niger expedition.

Inclosure in No. 137.

Instructions for the Niger Expedition, given to Lieutenant C. G. F. Knowles, commanding the "Investigator," in charge of the Expedition.

1. THE object of the Niger Expedition this year is to communicate with Dr. Baikie, with the view to enable him to return to England in the mail steamer.

. Having this in view, and showing these instructions to Dr. Baikie, who will doubtless use every endeavour

to comply with the wishes of Her Majesty's Government and hasten his departure, after settling his affairs and seeing that the officer left in charge is properly and comfortably located, you will be guided as far as possible by the following extract from their Lordships' despatch to me on this subject:—

3. "My Lords desire that the 'Investigator' should remain as short a time as possible in the river, and that after communicating with Dr. Baikie, she should leave the river with as little delay as possible."

4. While employed on this very important service, I cannot too seriously impress upon you the necessity of paying the greatest attention to the health and comfort of your officers and crew. Inclosed are instructions for you on this head, and you will consult with Dr. Eales, whose experience and knowledge of the African climate will be of essential benefit to you.

5. Parties should never be permitted to remain on shore for the purpose of cutting wood when a tornado is approaching. In this country exposure in wet clothes up the river is certain destruction to a white man.

6. Keep your men in good spirits, by cheerfulness, kindness and attention to their comforts; but at the same time strict obedience in observing the instructions laid down must be maintained amongst them, without which the expedition will fail.

7. You are to make this visit of the "Investigator," as far as you are able, useful for the spreading abroad of Christianity and the development of trade and commerce.

8. In your dealings with the natives strict justice must be enforced, and allowance made for their ignorance of European customs.

9. We cannot expect to civilise heathen nations and bring them to our way of thinking merely by a first visit. The prejudices of centuries have to be overcome, and the customs of their forefathers weaned away. Patience, temper, perseverance, and judgment are the essentials for accomplishing this difficult task, and by God's blessing the time will come when the efforts of England in the cause of this dark and heathen land will be crowned by great and acknowledged success.

10. The journals of yourself and all the officers are to be forwarded to me for transmission to the Admiralty, by the earliest opportunity after leaving the river.

11. Inclosed are blank forms of Treaties with the natives. Three copies are to be made out, one of which is to be delivered to the King or Chiefs with whom the Treaty is made, and the other two are to be transmitted to me with your letter of proceedings.

12. In the event of any great sickness occurring on board, you are immediately to leave the river, acquainting Dr. Baikie with the facts of the case, and proceed to sea for the benefit of a change.

Given on board Her Majesty's ship "Rattlesnake," off Lagos, 24th August, 1864.

I have, &c.

To C. G. F. Knowles,

(Signed)

A. P. EARDLEY WILMOT

Lieutenant Commanding Her Majesty's ship "Investigator,"

In charge of the Niger Expedition.

By command, &c.

(Signed)

BERNARD F. MEYER, *pro Sec.*

No. 138.

Commodore Wilmot to the Secretary to the Admiralty.

Sir,

"Rattlesnake," off the Niger, August 30, 1864.

I HAVE to request you will inform their Lordships that the "Investigator" came out from Lagos at noon of Friday the 26th, accompanied by the "Advance," with his Excellency the Lieutenant-Governor on board, whom I received with all honours.

At 3 P.M. of the same day I took the former in tow, and arrived off the Niger at noon of Sunday the 28th, having anchored the previous evening.

As the "Investigator" was very deep with stores, &c., for the Expedition, as well as for Dr. Baikie, I deemed it prudent for her to make two trips into the river. So, having filled up the large boat hired at Lagos for this purpose with fifteen tons of coals, and placed five tons on board besides, Lieutenant Knowles passed safely over the bar at 2.30 P.M. of Monday the 29th. Bishop Crowther, who had been living on board with me, went in with her, accompanied by his two sons.

At daylight of the following morning, Tuesday, Lieutenant Knowles (having landed his coals, and safely deposited his deck-cargo on board the "Manchester," a schooner belonging to the African Company, which has been for some weeks waiting for the expected steamer from England) came out of the river, and having supplied him with seventeen tons of coals in bulk on his upper deck, and completed all his wants, he again safely crossed the bar at 1 P.M. of the same day. The weather has been very bad, with constant rain.

I cannot speak too highly of the anxious desire evinced by this officer for the complete success of the Expedition. I am quite certain that both himself and all his officers will exert themselves in every possible way.

The "Investigator" has been supplied by me with fifty tons of coals altogether.

I have consented to leave Lieutenant H. S. Bourchier, R.M., L.I., behind, in Dr. Baikie's place, at the earnest solicitation of the Governor of Lagos, and as this young officer was exceedingly anxious to go, and is strong, active, and healthy, I hope their Lordships will approve of my doing so.

Inclosed is copy of the Governor's letter to me, as well as my instructions to Lieutenant Bouchier.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 138.

Instructions for the guidance of Lieutenant H. S. Bouchier, R.M., L.I., on his proceeding to take charge of the English establishment in the River Niger.

HIS Excellency the Lieutenant-Governor of Lagos has been directed by Her Majesty's Government to leave some intelligent and responsible person in the Niger during the absence of Dr. Baikie in England; and having no one at his disposal to place in this highly-important position, he has earnestly solicited me to allow you to remain behind.

As you have volunteered for this service, and expressed your willingness to undertake the duties connected with it, I have no difficulty in granting his request.

The position of Dr. Baikie up the Niger has been one which for several years past has excited the interest and the attention of Her Majesty's Government, and I cannot too strongly impress upon you the great necessity of adopting that line of public conduct which appears to have been so eminently successful on his part.

You will be there as an English officer by yourself, amongst Kings, Chiefs, and tribes that have only lately had the advantages of intercourse with civilized countries, but who have evinced a decided inclination to be on friendly terms with the white man, especially the English.

Many of these are willing to receive the precepts of that religion which above all others teaches man the advantages of civilization, with its attendant benefits of agriculture and commerce.

It will be your duty to point out these advantages to them, and to show that no nation in the world, whether black or white, can possibly attain to anything approaching to happiness or prosperity unless the minds of the inhabitants are turned to the cultivation of the ground, and the products that can be obtained by the labour of man.

The exchange of these commodities which peculiarly belong to different countries is highly beneficial in many ways, and becomes actually necessary as civilization advances.

The climate and soil are different in all parts of the world, and hence the products must be different also. What will grow in Africa will not thrive in the colder regions of the North, and consequently mutual benefits are obtained as friendly intercourse is established.

England's great desire is to promote the happiness and prosperity of Africa by teaching the natives the advantages of commerce, and turning their minds towards a better state of things than at present exists amongst them.

You must use forbearance, temper, judgment, and kindness of feeling in your dealings with these people, who, on account of their own ignorance and superstition, as well as that of their forefathers, live in a state of moral bondage, and consequently cannot be expected to be emancipated from these evils without much trouble, labour, and time.

You will correspond direct with Her Majesty's Government by every opportunity, as Dr. Baikie has been accustomed to do; and you will, as occasions offer, acquaint me with your movements.

I pray that you may be kept in safety, and that your exertions in the good cause may be crowned with success.

The Government have sent out a great number of articles of different descriptions to Dr. Baikie, for the purpose of paying off his debts and for future contingencies. What is not required for the first of these objects will, I presume, be handed over to you.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 2 in No. 138.

Lieutenant-Governor Glover to Commodore Wilmot.

(Extract.)

Government House, Lagos, August 24, 1864.

I HAVE the honour to solicit that you will permit Lieutenant Bouchier, R.M., to accept the post of head of the Niger Expedition during the absence of Dr. Baikie. I have great confidence in Mr. Bouchier's discretion and judgment, and consider him a most fit and suitable person to replace Dr. Baikie, who is about to return in Her Majesty's ship "Investigator." I trust, therefore, that you will not withhold your permission to the above-mentioned officer to accept this post to which I have provisionally appointed him.

No. 139.

Commodore Wilmot to the Secretary to the Admiralty.

Sir,

"Rattlesnake," off the Benin, September 7, 1864.

I HAVE the honour to inclose copies of correspondence that has passed between myself and the British merchants trading in the Benin River, as well as with the Chiefs of this place, and their Lordships will observe that I have taken upon myself to stop all further trade until the fines imposed are paid.

Inclosure No. 1 was written in consequence of the bad state of the weather, and when I thought it probable that the merchants could not come out.

Copies of all these letters have been left with the British merchants, and I have every reason to believe, and so have they, that this step will have the desired effect, and that the fines will be paid.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 139.

Commodore Wilmot to British Merchants in the Benin River.

Gentlemen,

"Rattlesnake," Benin River, September 7, 1864.

I HAVE arrived here for the purpose of having a personal communication with some of you relative to the affairs of the Benin river, more especially as regards the fine imposed by Governor Freeman in April of last year upon the Chiefs as payment for the losses incurred by Mr. Henry.

I am sorry that I have been unable to see you, and as I cannot remain on this part of the coast any longer, my duties calling me to the South, I have thought it advisable to place on record, for your consideration, my opinion as to the steps necessary to be taken for bringing about a settlement of this question without resorting, at present at any rate, to force for this purpose.

The rains will not cease here for a month, and therefore any operations here in the river would be attended with considerable risk, a great deal of sickness and probably loss of life, without in any way effecting the desired end.

We know that the property of the Chiefs and people of this country is easily removed, and that upon the approach of a ship of war the slaves are employed transporting the goods of their masters into the bush; each one takes something away, and as this does not consist of very much (pots, pans, mats, and stools, with a few canoes forming their principal store) it is not likely they will care for a stray shot or two, or that much real damage will be inflicted.

The money made by trade is expended in slaves, men and women, the overplus being kept safely stowed away with their personal effects, such as cloth, &c., and easily removed.

Her Majesty's Government have therefore suggested, and the Lords Commissioners of the Admiralty have coincided in this opinion, but leaving it to me to adopt what measures I think necessary, that the traders should leave the river and embark on board their ships, refusing all further trade until the Chiefs come to terms and pay the necessary fine.

I quite agree in this opinion, because I am fully convinced that no African King or Chief having once felt the advantages of trade, and received in return those articles from the white man which they value so much, and cannot now do without, will be content to return to the old state of things and give up those luxuries which have been introduced amongst them in exchange for the products of their own country.

The goods sent out by our merchants and brought into this country by the ships of England are as essential to their existence as the daily food upon which we ourselves live. Powder, arms, tobacco, rum, clothes, cowries, salt and sugar, &c., are the chief articles of trade, and these find their way into the interior of the country, being sold again by the Chiefs bordering on the sea, at a very high profit.

Having tasted the enjoyments which these articles produce, and the employment which it gives their people, it is not likely they will remain satisfied without them.

There is no European trade from Benin until you reach the Brass river, a distance of 120 miles, and I do not think that the inland journey by canoe will repay them.

You have no foreigners to compete with here which will materially assist the object in view, as you are more deeply concerned in the settlement of this affair than any one besides can possibly be, I trust you will seriously consider the advisability of the step I have proposed, and take such measures with regard to your property as will ensure its safety while being removed.

You will probably find that the very hint of removal will have a considerable effect, and I should not be surprised if it brings the Chiefs to reason.

A cruiser shall be sent from the Bights whenever I can spare time, for the purpose of blockading the river; should you consent to embark, and after six months we find that the stopping the trade has no effect, I shall then deem it my duty to ask their Lordships for further instructions.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 2 in No. 139.

Commodore Wilmot to the Chiefs and Headmen in the Benin River.

"Rattlesnake," off Benin River, September 4, 1864.

I AM very sorry to find that the agreement made by you with the Governor of Lagos on the 2nd April of last year, 1863, has not been carried out, and that you have refused to recognize the terms of the compact.

When the Chiefs of Africa give their word and sign their names, promising to do certain things, as they have done in this instance, the agreement made by them becomes binding and sacred; and if the terms of it are not fulfilled, their word is broken, and all confidence in our future dealings with them is destroyed.

Nothing they say, nothing they do, will hereafter be believed, and hence our present and future relations with Benin will be those of doubt, uncertainty, and suspicion.

Shame to the chiefs of Benin that they have brought their country into this disgrace with their best friends the English, who for years past have been trading with them, and introduced into their river every kind of European produce for their use and benefit.

To whom can the chiefs look to for these things, if their friends are obliged to leave the river in consequence of the evil practices carried on by those who should rather protect than plunder them.

The master is answerable for the good behaviour of his servants, so are the chiefs accountable for the conduct of their slaves, and they are bound by every law that should unite nations together in friendly intercourse to see justice done, when robberies are committed and deeds of violence against individuals are perpetrated.

Do the chiefs suppose that lives and property are as unsafe in England as they appear to be in Benin? Would they not consider it very unjust, and as unworthy of a nation that pretends to be in any way civilized, to find their goods taken from them, and themselves beaten and ill-treated without any reason whatsoever? Would they not ask for reparation at the hands of the Government, in whom rests the authority and power to punish? And if this were denied, or a promise given which was afterwards broken, would not the chiefs say, "Here is a country which will not suit us because there seems to be no laws for the protection of life and property. Any one can rob us when he thinks proper, and the people can beat us at their convenience; we will not be friends with this country, neither will we trouble ourselves for their benefit and prosperity."

Is not this the case with the chiefs of Benin? Who will come to their river, if there is no protection given to those when they do come? Let the chiefs seriously consider this, because they must acknowledge that I am speaking to them the words of truth and justice.

If they wish for justice, they must give us justice in return.

A fine of thirty-five puncheons of oil has been inflicted and agreed to on the part of the chiefs in compensation for outrages to English merchants. This is in my opinion a very small fine, but as it has been settled by mutual agreement eighteen months ago, the amount of the fine for this particular purpose will not be altered by me.

Twenty puncheons of oil have also to be paid as a fine by Akuaboa, of Bechy, instead of his being imprisoned at Lagos for one year.

A certain period was given and agreed to for these fines to be paid, but the time has long passed away, and there seems to be no desire on the part of the chiefs to do what they sacredly promised they would do.

What are we to expect from such conduct? Nothing more than untruthfulness and deceit. There is a limit to all dealings with dishonest men, and we have now come to the end of our forbearance.

For the non-payment of the original fine, namely, thirty-five puncheons of oil, as compensation to the merchants, and twenty puncheons as a fine from Akuaboa to the British Government, for his improper conduct, I shall add another fine of thirty puncheons of oil for the non-fulfilment of the agreement entered into.

This will make in all eighty-five puncheons, and if this is not paid in December next, when I return to this river, all trade will be stopped and the British merchants will leave the river with their ships and all their property.

The terms of the Treaty entered into on the 2nd April last year will be again read to you.

When the merchants leave, a strict blockade will be enforced.

I remain, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure 3 in No. 139.

Commodore Wilmot to the Chiefs and Headmen in the Benin River.

"Rattlesnake," off the Benin, September 4, 1864.

I HAVE received information of another outrage committed by the Chief Adjoki at Warree, upon the person of Mr. Kineson, Agent to Messrs. J. Harrison and Co.

This outrage seems to me as serious, if not more so, as any that have yet been perpetrated by the Chiefs and people of Benin.

What do the Chiefs mean by this conduct? Do they wish to show that the "white man" can never live on friendly terms with them, and are they aware that the reports of such atrocities spread abroad in Europe will deter any other white man from coming amongst them, whether he be French, German, Spanish, or Portuguese?

I shall most carefully, as well as impartially inquire into this case, and Adjoké, if in the wrong, must be prepared to make large atonement for such a gross violation of all laws between persons living on friendly terms with each other.

I remain, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure 4 in No. 139.

Commodore Wilmot to the British Merchants in the Benin River.

Gentlemen,

"Rattlesnake," off the Benin, September 7, 1864.

THE Chiefs of Benin have refused to receive the message embodied in a letter and brought into the river the day before yesterday by four officers of the "Rattlesnake," which I have thought it necessary as the Representative of Her Majesty's Government to send to them, in consequence of the non-payment of the fine imposed upon them by the Governor of Lagos in April of last year, 1863, which fine was agreed to on their parts, and bears their signature.

The Chiefs have received information that it was my intention to communicate with them by some of the officers of this ship, and therefore ample warning has been given them.

The conduct of the Chiefs on this occasion is consequently highly offensive and insulting towards the Representative of the British Government, and shows a disinclination on their part to acknowledge the agreement made with the Governor of Lagos.

My message to them is framed in a spirit of forbearance and conciliation, and points out the justice of our claims; but the time is now come to adopt those measures which have been recommended by Her Majesty's Government, and which have my decided as well as your own concurrence.

In the name, therefore, of Her Majesty's Government, I desire that all further trade be stopped between the British merchants and the Chiefs and natives in the Benin river until the fines imposed are paid.

Not a pint of oil is to be bought; neither are goods of any kind to be sold by you, but all outstanding debts are to be paid to the natives, and strict justice pursued.

You will use every endeavour, by persuasion and friendly intercourse, to point out to the Chiefs the position in which they have placed themselves, and will continue to place themselves, by their improper conduct in this affair, and that most assuredly Her Majesty's Government will exact a very heavy retribution if any further outrages are committed and violence is used against the persons of the British traders.

In the event of the fines being paid, or if any satisfactory terms are made on the part of the Chiefs which in your opinion will bring this question to a desirable end, you have my authority to re-open the trade or such part of it as you think proper. The question of re-opening the trade is to be settled by a majority of votes.

I shall return to this river at the end of December next, and most sincerely hope that you will have succeeded by that time in re-establishing a friendly spirit of trade, and in restoring mutual good feeling and confidence with each other.

Should you be apprehensive of personal violence, or if any attempt is made by the natives to plunder your stores, I should recommend you to dispatch a vessel at once to Whydah, where a cruiser is stationed, and upon showing this extract of my letter to you, the Commander will, doubtless, immediately communicate with the senior officer, who will afford you the necessary protection.

A copy of this letter will be sent to Her Majesty's Government.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

No. 140.

Captain Chapman to Admiral Sir M. Seymour.

"Ariel," at Sea, Lat. 120° N., Long. 18° 56' W.,
October 15, 1864.

Sir,

I HAVE the honour to forward, for your information, a copy of a letter, and its inclosure, received from his Excellency the Governor of Sierra Leone on the eve of my sailing for England, and beg to inform you that as I considered the intelligence of great importance, and as there was no man-of-war on that station, nor any expected for some weeks, and as it would not cause a delay of more than three days, I anchored off Isle de Los, procured pilots, and anchoring the ship off the mouth of the Dubreeka River, proceeded with three boats to search the Dig Dega, Komy Bomby Island, as also the mouths of the River Bramiah and Dubreeka, Although, I regret to say, I was not successful in finding the vessel, I feel convinced that the information was correct, and, moreover, am inclined to believe that the brother of S. King (the informant), who is Chief of the Dubreeka River, and is also, I believe, in the receipt of a certain sum annually from Her Majesty's Government, has been conniving at the collection of slaves in his neighbourhood, and has also received a bribe to keep quiet. After visiting the town of Carpara, where I saw him, but could gain no further information, I returned on the Thursday to the ship, and after landing the pilots, as also a letter for his Excellency the Governor, with information for the first man-of-war arriving, proceeded on my voyage.

I beg also to state that information of the same nature was received by Mr. Leetham, Master commanding Her Majesty's depôt, Senior Naval Officer at Sierra Leone, who on my arrival made me acquainted with the same.

I have, &c.
(Signed) W. C. CHAPMAN.

Inclosure 1 in No. 140.

Governor Blackall to Captain Chapman.

Sir,

Government House, Sierra Leone, October 7, 1864.

I THINK it right to enclose to you a letter which I have received professing to give information of a vessel supposed to be engaged in the Slave Trade in the Bramah River, near the Isles de Los.

There is no Cruizer on this Northern Division at present, and as I understand you are about to proceed to England, it will, I think, be advisable that you should visit this river, as it will not much delay you upon your voyage.

I have, &c.
(Signed) SAM. W. BLACKALL.

Inclosure 2 in No. 140.

Mr. King to Mr. Nicol.

Sir,

Dubruka River, September 29, 1864.

I BEG to inform you that not above three weeks since, a Spanish supercargo visited this river with a large quantity of doubloons for slaves, by name "Valentine," direct from Sierra Leone, in a fishing boat. He is now in the Bramiah, buying away slaves very fast; he took away seven slaves from this river. He is the very party who has been in the Bramiah about two years ago, and got away from the men-of-war. We are told he has a vessel outside, between this and the Menez, dodging and watching narrowly, and we are told also that the vessel is hid in a creek called "Dig Diga," in the "Korny Bombo" Islands, near the mouth of the Bramiah River, close in shore. I had a long conversation with the supercargo, Mr. Valentine. We attempted to stop him here till we should send to Sierra Leone. Finding this out, he left with us 800 dollars as a pledge that he would come back here again, but as the time he gave is near expired we have very little hope of his coming back here again. Some of the people here say the vessel is three-masted; they must have seen her outside or hid in some dark corner in some of the creeks. Unless the men-of-war come now he will get away with some hundreds of slaves.

I have, &c.
(Signed) E. KING.

P.S.—Mr. Valentine is a short little man. I am told that he has some Sierra Leone boys for his boatmen, along with some Spanish seamen.

No. 141.

Lieutenant Dunlop to the Secretary to the Admiralty.

(Extract.)

"Asp," November 17, 1864.

IN compliance with their Lordships' directions dated 7th October, I have the honour to inclose a copy of the judgment given in the Vice-Admiralty Court of Sierra Leone in the case of the Italian vessel "*Ricarda Schmidt*."

Inclosure in No. 141.

Judgment in the case of the vessel "Ricardo Schmidt."

In the Vice-Admiralty Court of Sierra Leone.

ON Monday the twenty-sixth day of September, in the year of our Lord one thousand eight hundred and sixty-four, Our Sovereign Lady the Queen, against the ship or vessel called the "*Ricarda Schmidt*," whereof Bartolomio Casanova was master, her tackle, apparel, and furniture, and the goods, wares, and merchandize on board the same taken and seized by Martin Julius Dunlop, Esq., a Lieutenant in Her Majesty's Navy, and against all persons in general, having or pretending to have any right, title, or interest therein, and against Bartolomio Casanova intervening and claiming the said ship and cargo.

HORATIO JAMES HUGGINS, Advocate for Our Sovereign Lady the Queen, prayed the Judge to reject the claim of Bartolomio Casanova, given on behalf of himself and Gerolanio Gambolatu and Edward George Schmidt for the said ship and cargo, and to pronounce that he the said Horatio James Huggins had fully proved the contents of the libel by him given in and admitted in this cause on behalf of Our Sovereign Lady the Queen, and the said ship or vessel the "*Ricarda Schmidt*," to have been at the time of the seizure thereof, fitted out and equipped for and employed in the African Slave Trade, contrary to the Statute 5 George, 4, cap. 113, and that the said ship or vessel the "*Ricarda Schmidt*," her tackle, apparel, and furniture, and the goods, wares, and merchandize on board the same, is subject and liable to forfeiture to our Sovereign Lady the Queen, and to condemn the same accordingly. And William Rainy Proctor prayed the claim by him given to be admitted, and the said ship or vessel the "*Ricarda Schmidt*," and her tackle and apparel and furniture, and the goods, wares, and merchandize on board the same, to be restored as claimed, and on behalf of the said Bartolomio Casanova, the master of the said ship or vessel, prayed the Judge to pronounce that the said Horatio James Huggins had failed in proof of the said libel, and that the said William Rainy had fully proved the contents of the allegation bearing date the 3rd day of September, 1864, by him given in and admitted in this Cause on behalf of his said party, and to dismiss his said party, from the monition served upon him, and from all further observance of justice in this cause. And to condemn the said Martin Julius Dunlop, Esq., a Lieutenant in Her Majesty's Navy, the seizer in all costs, losses, damages, demurrage, and expenses as have arisen or may arise by reason of the said seizure, and in the costs of suit.

The Judge, having heard the proofs read, and Advocates and Proctors on both sides, admitted the said Bartolomio Casanova, and pronounced that the said Martin Julius Dunlop had failed in proof of the contents of the said libel given in and admitted in this cause on behalf of our Sovereign Lady the Queen, and by Interlocutory Decree, decreed the said ship or vessel the "*Ricarda Schmidt*," her tackle, apparel, and furniture, and the goods, wares, and merchandize on board the same to be restored to the said claimant Bartolomio Casanova, for his use and benefit, but without damages and costs.

These are to certify that the foregoing is a just and true copy of the original Decree made in the case of the "Ship or Vessel the '*Ricarda Schmidt*,' whereof Bartolomio Casanova was master," as appears by the records of the said Court.

In faith and testimony whereof I have hereunto set my hand and affixed the Seal of the Vice Admiralty Court of Sierra Leone, this twenty-sixth day of September, one thousand eight hundred and sixty-four.

(Signed) THOMAS MARSTON, Registrar.

No. 142.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "Rattlesnake," at St. Helena, October 24, 1864.

I HAVE the honour to inclose Commander Battiscombe's report of the boarding of the "Zaire," sent in to me before my order calling for an explanation, had arrived.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 142.

Lieutenant Shuckburgh to Commander Battiscombe.

Sir, "Snipe," at Sea, February 20, 1864.

I BEG to state that in latitude 1° 47' south, longitude 13° 21' east, I boarded a stranger under Portuguese colours, which proved to be the mail-steamer "Zaire," bound from St. Paul's de Loando to Fish Bay. On my arrival on board I offered a copy of the Slave Treaty to the captain of the vessel, who declined receiving it, stating that he did not understand the English language.

2. On her proving to be the "Zaire," I expressed to the Captain my regret (in your name) that she should have been detained, at the same time explaining to him that you were not aware of her being the mail-steamer, on which he appeared perfectly satisfied, and expressed himself so through one of the passengers.

I have, &c.

(Signed) W. C. SHUCKBURGH.

No. 143.

Commander Perry to Commodore Wilmot.

Sir, "Griffon," at Ambrizette, February 8, 1864.

I HAVE the honour to inform you that at daylight on the morning of 8th February, Her Majesty's ship under my command being at anchor off Ambrizette, a brigantine was observed standing in for the land to the northward. I immediately weighed and chased under steam and sail.

At 11:30 A.M. I came up with and boarded and detained chase, which proved to be a brigantine of about 200 tons without name, papers, or colours, and fully equipped for the Slave Trade.

I therefore despatched her under the charge of Lieutenant E. D. Acklom of this ship to St. Helena, for adjudication.

I have reason to believe the detained brigantine to be the "Venus," which vessel was detained and taken to Loanda by Her Majesty's ship "Antelope" in February 1863, but was there liberated by decision of Mixed Commission Court.

I believe that on this last voyage she cleared out from Cadiz in November last, and was to have shipped her slaves at Bahia Fonta.

I have, &c.

(Signed) J. L. PERRY

No. 144.

Commander Battiscombe to Commodore Wilmot.

Sir, "Snipe," off Longo, July 6, 1864.

I HAVE the honour to inform you that the boats of Her Majesty's ship under my command, whilst away cruising off Longo, in charge of Lieutenant Shuckburgh, on the 1st July, captured a barque, name and nation unknown, and fully equipped for the Slave Trade, in latitude 3° 54' south, longitude 10° 45' east.

She had no papers or colours, and I have this day sent her to St. Helena for adjudication, in charge of Lieutenant Shuckburgh and a prize crew of twelve men.

I have, &c.

(Signed) A. BATTISCOMBE.

No. 145.

Commander Richards to Commodore Wilmot.

Sir,

"Dart," off Vista, River Congo, July 7, 1864.

I HAVE the honour to report that I this day, off Vista, in the River Congo, captured a schooner without name, papers, or colours, fully equipped for the Slave Trade. I have sent her to St. Helena for adjudication, in charge of Lieutenant Colin M. Dundas of Her Majesty's sloop, with a crew of six men.

She left the Havana on the 7th April, and ran into Vista last night, when the captain landed.

The vessel, when captured, was in charge of the mate, who states her name to be the "*Belle*," of 100 tons; and that she has, until recently, been employed in running cargoes of cotton between the Confederate States and the Havana.

The mate, who is apparently an American, states that he does not think it is the Captain's first voyage in the Slave Trade, but that the vessel has never been on the coast of Africa before.

The crew of five men are European.

I have, &c.

(Signed) FRED. RICHARDS.

No. 146.

Commodore Wilmot to the Secretary to the Admiralty.

Sir,

"Rattlesnake," at St. Helena, October 24, 1864.

I AM sorry to report to their Lordships that I have every reason to believe that the Slave Trade is carried on from the following places, which are under the supervision of the Province of Benguella, viz.:—Benguella Velha, Novo Redondo, Lucira, Equimina, and Catara. The last-named place is situated six miles to the southward of Cape St. Mary's.

2. When at Little Fish Bay the other day, I received information from the Governor that the "*Myra*," American brigantine, then at anchor in the bay, employed for the last twelve months in the whale trade, had been sold by the captain to a Portuguese merchant at Equimina, for the purpose of carrying away a cargo of slaves, and that launches had left the bay for Equimina, to assist in the shipment.

3. The Governor said that the "*Myra*" would sail at a certain hour, which she did, and recommended my watching her movements.

4. I left the anchorage the following evening, and steamed up the coast, looking into Catara, and anchoring in Elephant Bay, which is only five miles from Equimina, where I remained for two days.

5. I then steamed slowly by Equimina and observed the launches, but not being able to remain any longer, I returned to Little Fish Bay without meeting with the brigantine.

6. It is highly probable that my movements will deter the "*Myra*" from shipping, at present at any rate, and as the "*Jaseur*" and "*Sa da Bandeira*" are coming down to the southward, I trust the design of the Portuguese merchant will be completely frustrated.

7. I hope their Lordships will report the subject of this letter to the Portuguese Minister, because the Governor of Benguella stands alone upon the South Coast as the encourager of the Slave Trade and the sharer of its profits.

8. A boat with a Portuguese came on board the "*Rattlesnake*" from Equimina, when we were at anchor in Elephant Bay, and reported that slaves were there in great numbers, shackled and ready for shipment.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

No. 147.

Commodore Wilmot to the Secretary to the Admiralty.

(Extract.)

"Rattlesnake," at St. Helena, October 25, 1864.

I ARRIVED at St. Paul de Loanda on the morning of the 23rd September, the usual salutes passing between the two flags.

Nothing can exceed the kindness and attention of the Governor-General, who is most strict and conscientious in everything connected with the Slave Trade, as far as he is able, in the territory under him.

Their Lordships will be pleased to hear that we are upon the best possible terms of friendship and good feeling, and that his Excellency, upon dining with me on board, expressed himself most warmly on the subject.

After completing with coal and inspecting the coal and provision dépôt, I left Loanda on the afternoon of the 8th October, for Little Fish Bay, where I arrived on the 11th instant about noon.

I saluted the Portuguese flag, which was returned, and immediately afterwards the Governor came on board, when we had a most friendly and confidential meeting upon matters chiefly connected with the Slave Trade.

The Colony of Mossamedes is rapidly increasing in size and importance, and there are many establishments in the country, owned by Portuguese colonists, who farm the land, which produces excellent potatoes of every kind, very good beef and vegetables, also calavances of the finest quality, and the sugar-cane, from which very large quantities of aguardente are made and exported to the various places on the coast.

Abundance of cotton is grown of a good quality, and I have no doubt that in a few years, if the succeeding Governors possess the same intelligence, administrative capacity, and desire to improve, as the present one exhibits on all occasions, Little Fish Bay will become a most important Colony of the Portuguese Crown.

There is no Slave Trade carried on here, and all the authorities are against it, being firmly convinced that legitimate trade cannot be carried on successfully at the same time.

The natives themselves are quite aware of this; and in consequence of being well fed and well treated, they work most lustily and cheerfully on their masters' farms; and hence the success which attends their efforts.

No. 148.

Lieutenant-Commander Knowles to the Secretary to the Admiralty.

Sir,

"Investigator," Lagos, October 22, 1864.

IN compliance with instructions from the Commodore commanding, I have the honour herewith to transmit a duplicate of my journal, letter of proceeding, and other correspondence relative to the Niger expedition, from which Her Majesty's ship under my command has just returned.

I am, &c.

(Signed) CHARLES G. F. KNOWLES.

Inclosure 1 in No. 148.

Lieutenant-Commander Knowles to Commodore Wilmot.

Sir,

"Investigator," Lagos, October 22, 1864.

I HAVE the honour to acquaint you that, in compliance with your orders, having completed the necessary preparations for the Niger Expedition, I crossed the bar of the Nun at 1 P.M. of the 30th August, and anchored off Trotter Point, close to the intended site of the West African Company's factory.

Having landed ten tons of coal for my return passage to Lagos, I weighed at 11.30 A.M. on the 31st, and steamed up the Niger, through Louis Creek, anchoring again at 7 P.M., having made 24 miles.

On the 1st September weighed and proceeded up the river, anchoring again in the evening, as before. During this day and the next we passed the villages marked hostile in the chart, none of which showed any signs of an unfriendly disposition. At 1 P.M. of the 3rd September we stopped off Abo to communicate with the Chief, weighing again at 1.45 P.M. At 2.15 P.M. of the 4th September arrived at Onitsha, where we remained twenty-one hours to enable Bishop Crowther to make some arrangements relative to the mission, and also to collect firewood.

Weighed and proceeded up the river at 11 A.M. on the 5th September, anchoring, as usual, in the evening.

U 2

Arrived off Iddah at 3 P.M. of the 6th, and sent a message to the Attah, by Bishop Crowther, that on my return I hoped to be able to wait on him personally. I then proceeded up the river until dusk. Arrived at Gbebe at 2:20 P.M. on the 7th September, and landed Bishop Crowther with his suite and baggage. Proceeded to Lukoja on the morning of the 8th September, where we found Dr. Baikie, who was in good health, and the Settlement also in a satisfactory condition. The intelligence of Lieutenant Bedford's death was unfortunately too true, he having died at this place on the 22nd February last, from (I am informed by Dr. Baikie) disease of the brain.

We remained at Lukoja until the morning of the 12th September, to enable Dr. Baikie to prepare for his final visit to Bida, when we weighed and proceeded up the Kwóra, leaving the cargo-boat with three tons moored off the landing-place. On the morning of the 13th September I landed and communicated with the Adámārāki, or Chief of Budon, to inform him that the object of our visit was to communicate with King Māsāba, of Bida. A messenger who had been despatched from Lukoja for this purpose had not arrived, and the Chief sent another up to Māsāba at once.

Proceeded up the river at 10:20 A.M., and arrived off the town of Egga at 4:30 P.M.; but not being able to procure any wood, steamed out of the creek and anchored in the main river for the night.

During our passage from the mouth of the river to Egga we only touched the ground two or three times, very slightly, and that only for a few moments; no other casualty occurred, and the health of the men continued good.

Weighed at daylight of the 14th September, and proceeded up the river towards Ekpāji (marked Fopo in the chart); about a mile and a-half beyond this village, the river leading to Wūnagi, about 8 miles from Bida, falls into the main stream. Our late second master, Mr. W. A. Adam, who traversed this creek with Lieutenant Gambier, in a boat, during last year's expedition, having pronounced it navigable for vessels of the "Investigator" class, I determined to proceed to Wūnagi in the ship, and accordingly entered the river, at 6:55 A.M. (the native name of this is Tchautshigga). So far from its being navigable, at least for vessels of the "Investigator's" length, it is most intricate and tortuous; there being no less than 115 bends, with their corresponding reaches, over a distance of 20 miles, in a straight line. We grounded several times, and did not arrive at Wūnagi until 10:50 A.M. of the 16th, but fortunately without any damage to the vessel's hull or machinery.

The river is in some places 80 yards wide, at others not more than 20. There is in most places plenty of water on the deep side of the river; but the greatest difficulty was experienced in turning so long a ship as the "Investigator" round the sharp bends, and this against a current averaging two knots an hour. I have no doubt, however, that a shorter vessel, with a powerful steering apparatus, would be adapted to the navigation of this river.

A messenger having been despatched to Bida to acquaint King Māsāba of our arrival, horses and an escort were sent down on the afternoon of the 17th September, and I proceeded with Dr. Baikie, Lieutenant Bouchier, R.M.L.I., and several of the officers to Bida.

I remained there until the evening of the 26th, during which time we had several very satisfactory interviews with the King, which I have enlarged upon in the journal I have now the honour to inclose.

Lieutenant Sandys, in compliance with orders I had left with him previously to my departure, having observed that the water in the river was falling, left Wūnagi on the morning of the 22nd September, arriving at Egga on the morning of the 24th, having experienced only a little less difficulty in the passage down than we did in the passage up.

On the evening of the 26th September I left Bida, accompanied by Lieutenant Bouchier, who had been for some days seriously ill with fever, and returned to Wūnagi, leaving Dr. Baikie behind to complete some final arrangements. I left Wūnagi in my gig at 7 A.M. of the 27th September, and arrived at Egga at 6:30 P.M. of the same day, finding, to my great satisfaction, that the officers and men were in excellent health, and the ship had sustained no damage. I observed on my passage down that the water had fallen 4 or 5 feet in the creek.

Dr. Baikie returned to the ship on the afternoon of the 29th September; and having procured a sufficiency of firewood, we steamed out of the creek and anchored in the main river for the night. On the 30th September communicated with the Chief of Budon, on passing, and anchored off Sukōfa at 5:40 P.M.

Dr. Baikie having informed me that there was a Chief, some distance up the Binue, to whom it was desirable Lieutenant Bouchier should be introduced, I weighed at 6 A.M. on the 4th October, and proceeded up that river, about 30 miles, as far as Yimāhā. Having communicated with the King, we returned to Lukoja on the afternoon of the 5th.

From the 5th to the 13th we remained at Lukoja to enable Dr. Baikie to prepare for his return to England, and transfer the government of the settlement to Lieutenant Bouchier, who by this time had recovered his health. Dr. Baikie, Dr. Eales, and myself, however, not deeming it advisable to leave Lieutenant Bouchier for a year, in a strange country, without a companion, decided on accepting the offer of Mr. Thos. V. Robins, an artist who had accompanied the expedition, to remain at Lukoja and assist Lieutenant Bouchier in the management of the settlement. They were properly and comfortably located and in good health and spirits when we left.

I am satisfied from personal observation that it would have been impossible for Dr. Baikie to have completed the arrangements for his departure in a shorter space of time.

The crew continued in excellent health, with the exception of myself and Mr. Mather, Engineer, who had a severe attack of dysentery.

On the morning of the 13th we steamed down the Confluence to Gbebe, where we re-embarked Bishop Crowther and suite, and filled up with wood, and having had an interview with the Chief and explained my reason for not seeing him on our passage up the river, we proceeded down the Kwóra on the 14th, communicated *en route* with a powerful and independent Chief on Shuter Island, who commands the passage up the river, and arrived at Idá the same evening. The next morning (15th) as I was too unwell to land, Lieutenant Sandys, accompanied by Dr. Baikie and Bishop Crowther, had a very satisfactory interview with the Attá of Igára, the details of which I have the honour to inclose.

On the return of the deputation we weighed and proceeded down the river until sunset. Arrived at Onitsha at 11:42 A.M. of the 16th. Bishop Crowther held an ordination service at the Mission, and Lieutenant Sandys had an interview with the King. Completed wood and left at 7 A.M. of the 17th for Abo, where we arrived at noon. I landed with Bishop Crowther and Dr. Baikie to communicate with the King; but some difficulties having arisen between him and the Chief Ishúkuma, I returned and received Ishúkuma and a messenger from the King on board the ship. The details of the interview I have enlarged upon in my journal: there exists a jealousy between the King and Chief, arising out of the plunder of Laird's factory; but I trust that our conversation will lead to satisfactory results.

Having given presents to Ishúkuma, and also to the messenger from the King, we proceeded down the river, anchoring below the Agberi villages for the night. Weighed at daylight on the 18th, and arrived at the mouth of the Nun at 4:55 P.M., having been forty-nine days in the river: all the officers and crew in good health.

The river below Onitsha had only fallen a few inches, and was much higher than on our passage up.

The new factory above Akássa had been erected in our absence by Captain Derecourt and the crew of the "Manchester."

Having coaled, we dropped down to the mission house at Akássa on the morning of the 19th, landed Bishop Crowther and Dr. Baikie, and completed wood and proceeded out over the bar at 5 P.M. of the same day. Crossed it safely without a break, and shaped a course for Lagos, off which place we arrived at 3 P.M. of the 21st, but were not able to cross the bar until the next day, as some slight repairs were necessary to the engines. These being completed, we steamed in over Lagos bar at 10 A.M. of the 22nd, and anchored in the river at 11 A.M., having been absent on the expedition fifty-seven days.

I have, &c.

(Signed) CHARLES G. F. KNOWLES.

Inclosure 2 in No. 148.

Lieutenant-Commander Knowles to Commodore Wilmot.

Sir,

"Investigator," Lagos, October 22, 1864.

I HAVE to acquaint you that while on a visit to the city of Bida, in Central Africa, during my recent expedition up the River Kwóra, Masaba, King of Nupe, entrusted the following presents to my care for Her Majesty the Queen, viz.:—One circular mat, native manufacture; one four-horned ram from Bornou, in Central Africa (a great rarity); one silk cloth, native article of dress.

The mat and silk cloth I will forward by the earliest opportunity, but I would venture to suggest that the summer season would be the best time to send the ram to England.

I have, &c.

(Signed) CHARLES G. F. KNOWLES.

Inclosure 3 in No. 148.

Bishop Crowther to Lieutenant-Commander Knowles.

Church Missionary House, Akassa, River Nun,

October 18, 1864.

My dear Sir,

PERMIT me to acknowledge my warmest thanks, both to yourself and officers, for your kind and gentlemanly conduct to me and to all those who composed my party for the mission whom you took up the Niger in the "Investigator," under your command.

The care taken of us and the attention paid to our wants were by far more than we had a right to expect. Our feelings and sense of this are more than what can be expressed in words.

Having for many years been connected with nearly all the ships which had ascended the Niger, I cannot suppress the fact, from personal knowledge and experience, that this visit of the "Investigator" under your command, has produced in the minds of the Native Chiefs who have been visited, more confidence and friendly feelings towards the English nation than has been witnessed for a long time. When I say this, I do not mean to say there was any lack of energy, zeal, or spirit of enterprize on the parts of former visitors,—no; but perhaps the success of this visit under your command may have resulted from studying native characters and meeting their mode of thinking and transacting business, as far as you knew they were not unreasonable, between one Power and another, who have a different mode of thinking and of doing things. In this way you had the opportunity, not only of conferring with them, but also of making good impressions, which influenced them to make voluntary promises of good conduct hereafter, which could not have been obtained from them under other circumstances.

I beg to close this with my best wishes that the like success may attend you and your officers' future commissions whenever you may be called upon to undertake them.

I have, &c.

(Signed) S. A. CROWTHER.

Inclosure 4 in No. 148.

Dr. Baikie to Lieutenant-Commander Knowles.

Sir,

"Investigator," Mouth of the River Nun, October 6, 1864.

ALLOW me on our arrival at the mouth of the Niger to offer to you my warmest thanks for the great and constant assistance you have rendered to me in completing the object of my mission and preparing for my voyage home, as well as for the great personal kindness and attention I have received from you, and from all your officers, without exception.

Permit me also to thank through you, your officers and crew, for their kindness and forbearance to my numerous and often noisy followers, and I am sure we can never be forgetful of the very considerate manner in which we have all been treated on board your ship. I cannot conclude without congratulating you on your very successful voyage, on the numerous important objects you have accomplished, on your excellent regulations for your ship, and on your happy method of meeting and dealing with the Chiefs and natives of the various countries you have visited.

I am sure none of the recent voyages up this river will be longer held in remembrance than that of 1864; and I feel equally certain that your re-appearance up the Niger would be hailed with joy by numbers.

I am, &c.

(Signed) W. BALFOUR BAIKIE,
Late in charge of the Niger Expedition.

No. 149.

Commander Ruxton to the Secretary to the Admiralty.

*"Pandora," at Sea, Latitude 10° 14' N., Longitude 15° 3' W.,
November 19, 1864.*

Sir,

I HAVE the honour to inform you that on my arrival at the Isles de Los I received information that the slave-schooner that escaped from the Bramiah River had returned to the coast, probably for the purpose of picking up the slaves, boat, and supercargo.

On my arrival at the Nunez I heard that she had run into the Componee River.

The Head Chief of the Nunez, Yurrah by name, residing at Yukabelli, acknowledged that he had shipped seventy slaves in her, and that she was gone to the Bramiah for more, that they hid in the Componee till the coast is clear for men-of-war.

I heard also, that being short-handed from the supercargo and boat being absent, the captain had got some of the slaves on deck to assist, when they suddenly rose, killed him and two of the crew, and escaped to the shore.

At daylight on the 17th I weighed and went into the Componee as far as it was possible to take the ship, and despatched the boats in search of the schooner.

I beg to inclose a copy of my instructions to Mr. Edwards, second master, and his report of the destruction of the vessel.

I have great satisfaction in doing this, as the ship and boats have been in chase of her for three weeks.

I hope to be able to give an equally good account of her consort, which I have reason to believe is expected.

I have, &c.
(Signed) W. F. RUXTON.

No. 150.

Commander Ruxton to the Secretary to the Admiralty.

*"Pandora," at Sea, Latitude 10° 59' N., Longitude 15° 50' W.,
November 20, 1864.*

Sir,

I HAVE the honour to inform you that, having obtained information that the slaves from the schooner were in the country of Yurrah, Head Chief of that river, I proceeded to his town with the boats of this ship, and endeavoured to make him give up the people to me.

He refused, stating "that accident had brought them back to him; that I had not caught them; that they were a long way off, and some of his people who had them would not give them up; that he was not an English subject or bound by our laws; and that he had given some of them "free books," and by country law, having come on his coast, they were his.

As I was not certain that I had a right to them I did not use any threats, which, had I done, I must have carried out. The King Yurrah, however, said, "It is true you can burn my town, but that will not get the slaves. I will go into the bush and destroy all the factories in the river; besides," said he, "it would cost me a great deal of money to get them together."

I made him promise to come next morning to the factory of M. Sainton, which he did. Acting on his words of the evening before, I told him that the sole object of the British Government was to remove the people from a state of slavery, and offered him 200 dollars for his expenses to bring in the people. He said he had given them (passed his word) and he could not take them back.

I firmly believe not more than ten of the slaves would have accompanied me back to the ship.

Taking everything into consideration, I judged that Her Majesty's Government would not consider that I was right in using force, especially as it was uncertain if I should be able to carry my point further than destroying a town, stopping all the trade of the river, and rendering more miserable a few miserable wretches.

I endeavoured to point out to him that selling his people would not pay him as well as making them work, and told him to seize the next vessel and cargo and send

to Sierra Leone to the Governor. He replied, "May I keep goods and doubloons?" I said certainly, and that argument did have some effect.

I settled some small difficulties about debts, &c., and took the Chief over to his town in our boats. We parted good friends.

I offered to take the Spanish crew to the Gambia if they would give themselves up. I did so from motives of humanity, as one poor creature had died the evening before; but they were afraid, and I had no time to spare. Yurrah promised to send them to Bissao and to give them some money.

I hope my proceedings on this occasion may meet with your approbation, and though I failed in obtaining the slaves, I did not in any way compromise the flag under which I have the honour to serve, and I am quite certain the presence of the ships and boats in the river was productive of good to our traders, as well as useful for the great end of putting a stop to the Slave Trade.

It is with great pleasure I have to bring to your notice the undeviating good conduct of the boats' crews of this ship.

For the last three weeks they have been constantly toiling at the oars for ten or twelve hours a day, with intense heat by day and tornadoes at night, during which time we have ascended the Mellacoree, Nunez, and Componee Rivers, and as far up the Rio Pongas, Dobreeka, and Bramiah as a boat would float.

It is satisfactory to add that we have but two slight cases of fever.

I have, &c.
(Signed) W. F. RUXTON.

Inclosure 1 in No. 150.

Orders addressed to Mr. Edwards.

Memo.

"Pandora," off Componee Bar, November 17, 1864.

IT is my direction that you take the two whalers of this ship and immediately on our anchoring proceed up the Componee River in search of the slave-schooner that has escaped up that river.

The greatest expedition and diligence is required, as she will probably be hid in one of the numerous creeks.

If necessary, you will use force to procure a pilot.

Should they endeavour in any way to defend her, and she cannot be set on fire without serious risk, you will return to the ship for assistance.

(Signed) W. F. RUXTON, *Commander.*

Mr. John Edwards,

Second Master, Her Majesty's ship "Pandora."

Inclosure 2 in No. 150.

Mr. Edwards to Commander Ruxton.

Sir,

"Pandora," November 19, 1864.

I BEG to inform you that in compliance with your Memorandum of the 17th instant, I proceeded in charge of the first and second whalers of this ship up the River Componee, and on the 18th I obtained a native pilot who conducted the boats up the river. At the point of an island I discovered the schooner, which had been run on shore and abandoned to avoid being captured. Finding it impossible to again get her afloat owing to her being stuck on the rocks, and having no boat large enough to bring any equipments back to the ship, I removed her figure-head and some muntz metal, and set her on fire, after taking her description and measurement which I inclose.

I obtained the following information from the natives, that immediately after the vessel had taken the ground the slaves who were in her, amounting to 67 in number, made their escape together with the crew, but they could not give me any information as to where they were.

I have, &c.
(Signed) JOHN EDWARDS, *Second Master.*

Inclosure 3 in No. 150.

Description and Measurement of Schooner.

HAVING found the vessel on the rocks, I immediately went on board; she was lying on her port bilge, with a great quantity of water in her, owing I imagine to a leak she must have sprung after having struck. She appeared to be an American vessel, and very well built; her decks and hull were in very good order, so I imagine she could not have been very old; her skin was fastened with copper, and her bottom covered with muntz metal, her decks of pitched pine, and her ribs and hull of hard wood, I imagine oak; I also found part of her slave-deck laid, and some planks floating under her upper deck. I waited till low water, and measured her, I then set her on fire, and remained by her till she was completely destroyed. She had neither name, papers, or colours on board.

Inclosure 4 in No. 150.

Information called for by paragraph 12, page 35, of Station Orders.

1. FROM what port vessel cleared out, and for what port?—Bramiah River, for Cuba.
2. If with slaves, where shipped?—Sixty-seven from Nunez; prevented shipping those from Bramiah by the appearance of cruisers.
3. If the master had shipped slaves before?—No, it was his first trip.
2. The schooner had no colours, said to have Spanish owners, and had called at Teneriffe. Principal manager of the Slave Traffic on this part of the coast Signor Valentine Abdul; he comes and goes by the mail-packet, and generally brings a sum of money in gold with him. He hires a boat at Sierra Leone to carry him to the rivers.

King Yurrah, in the Nunez, Yanie Tongæ, Chief of Casse Can in the Componee, the Head Chief of Bramiah, and Ballah Dunba, Head Chief of the Balloon Bagas, are the shippers of slaves; the latter Chief receives 85*l.* a-year from the British Government. I have brought his conduct before the Governor, and his stipend will be stopped.

"*Pandora*," November 19, 1864.

(Signed)

W. F. RUXTON, *Commander.*

No. 151.

Commodore Wilmot to the Secretary to the Admiralty.

(Extract.)

"*Rattlesnake*," at Ascension, December 1, 1864.

MY Report on the Slave Trade of the West Coast of Africa for the past year will be upon a very limited scale, as very little has transpired to make any lengthened observations necessary.

Their Lordships will be pleased to hear that this traffic has decreased on every part of the coast, more especially in the Bight of Benin, from which, as far as I can learn, there has not been a single shipment during the past year, which is attributable entirely to the close blockade that has been established.

Slaves are as numerous as ever, but the slave dealers are afraid to purchase, in consequence of the great risk to be incurred, and the almost certainty of capture. Hundreds of slaves have been kept waiting an opportunity of shipment in the neighbourhood of the principal depôts on the coast, and constantly marched from place to place as the chances of embarkation seemed to offer, according to the plans of the slave dealers, but without success, which has led to great mortality amongst them, from privations and disease of every kind.

We have Treaties with the chiefs of Aghwey, Great and Little Popo, for the suppression of the Slave Trade, but these have not been rigidly enforced, and it is difficult to do so, for many reasons.

Legitimate trade at Aghwey and Little Popo is not upon a very extensive scale, and the French have the trade almost entirely in their own hands at Great Popo. Slaves are not shipped direct from any of these towns, but are sent outside the territory belonging to them, and embarked from places belonging to the King of Dahomey, by which the chiefs evade the consequences of the non-fulfilment of their particular Treaty. I have spoken and written to them upon the risks they encounter for the violation of their word, and their reply has always been that "no slaves have been shipped from their territory," which is no doubt literally true.

A blockade of their towns would do little good, and the effects would fall upon the poorer classes, which is not desirable; while any attempt to land and destroy them would be attended with considerable risk, without any adequate result being obtained, because their property is easily removed and they would leave only a few mud huts at our disposal.

The blockade of the whole coast, if it be kept up with a proper number of vessels, must force upon them in a very short time the necessity of legitimate trade, and we shall find that the value of the slave will be recognized on the more certain profits he will bring to his master, by being employed in the cultivation of the soil rather than in being manacled and shut up in barracoons, consuming his provisions unprofitably, and bringing no return for the expenses incurred.

North Division.

The quiet state of this part of the African command, as regards the Slave Trade, and the greater necessity for guarding the Bights in consequence of the appearance of steamers there for the purpose of carrying away slaves, enabled me,

in the early part of the year, to withdraw the two cruizers usually stationed in this division.

I am not aware that any slaves have been shipped from this part of the station during the last twelve months, although rumours have reached me privately that a cargo of some 600 had successfully escaped from the Rio Pongas in May last. This report cannot, however, be traced to any credible foundation; and as stories of this nature are being constantly spread about, to suit the purposes of the slave dealers, and to draw away the cruizers from the best blockaded part of the coast, I do not think it worthy of much consideration; but, nevertheless, I have deemed it advisable to dispatch the "Pandora" to resume the duties of Senior Officer of this division.

Commander Douglas, of the "Espoir," will have informed their Lordships of the result of his inquiries relative to the shipment of slaves in small numbers from this part of the coast to the Cape de Verdes, and also, whether there is any truth in the report that slave vessels call in there for supplies.

The "*Ricarda Schmidt*," a large Italian ship of 750 tons, was seized at Sierra Leone on the 2nd of August last, by Lieutenant Dunlop, of the "Ariel," in consequence of information received from his Excellency the Governor. This vessel had on board many of the prohibited equipments, and called at that port, hoping to get a cargo of ground nuts for Europe. The master had been for upwards of twelve months on the coast, and was frequently boarded by our cruizers. He was anxious to dispose of his vessel for slave-trading purposes, but could obtain no purchaser on account of the risk.

I should myself have most probably taken her on the 2nd of July, had the boats of the "Rattlesnake" succeeded in finding her at anchor off Accra, to which place they were sent for this purpose, while I proceeded to Jella Coffee. I am not aware at present whether she has been condemned or not.

Legal trade seems to be flourishing at Sierra Leone, but I am not inclined to think that it is extending its benefits, even in a moderate degree, to other places. I am in great hopes, however, that the exhibition about to be held there, at the latter end of this month, will open the eyes of the natives of this place in particular, which should be considered the centre of progress and civilization, and all parts of Africa in general, to the urgent necessity of increasing efforts for the cultivation of the soil and the development of the resources of this rich and productive soil.

In the Gambia the constant differences existing between the tribes residing on both sides of the river have a fatal influence upon the progress of trade; I succeeded in making a Treaty of Peace and Friendship in February last between the principal chiefs of these hostile tribes.

The Bights.

The African squadron has this year achieved a victory in the Bights, which their Lordships and the country may well rejoice at, and the year 1864 will be recorded in the annals of slave-trading history as one of complete success over the well-contrived plans of the slave-dealers.

The close blockade of this part of the coast, from the River Volta to Jackin, has shown what can be done by the African cruizers, under the skill and conduct of their commanders; and I must be permitted to place on record here, before entering further into this important subject, my high admiration at the zeal, energy, and patience displayed, not only by the commanders, but by all the officers and men of the squadron, under circumstances of no ordinary trial.

The terrible monotony of the African Coast is proverbial, and where there is no change or relaxation from duty for a period of sometimes twelvemonths together, it will be readily acknowledged that many good qualities are necessary, not only for keeping up the cheerful condition of the men, but for the due maintenance of discipline, order, and efficiency.

There are privations, also, of different kinds, which the cruizers are subject to. Fresh meat is scarce, and not very enticing; and, with the exception of yams, which are often not to be obtained, in consequence of the drought, no other vegetables are seen excepting they come in small quantities as presents to the officers from the private gardens of their friends on shore. Fowls, ducks, and turkeys can be procured at Jella Coffee, but a dozen head of poultry would not be equal to a good English fowl.

The want of change of scene and of faces is severely felt. Shut up in a small

vessel, with only a limited number of officers, it will be easily understood that in this African climate, with its peculiar characteristics, the temper becomes irritable and the disposition materially altered. There is a want of occupation other than that connected with the duties of a ship, as the climate is sadly against all study, and the mind becomes dissatisfied and unhinged.

The incessant rolling, which is most trying; the constant rumbling of the heavy surf upon the beach, which becomes tedious from its monotony; the low and uninteresting appearance of the land,—all have an effect, even upon the best organized mind, that is sometimes distressing; and we have, I grieve to say, examples of the effect of these trials in the invaliding of officers and others from mental disorganization.

It is to prevent slaves being shipped from the shores of Africa that the squadron is called upon to endure all these privations; and it is to ameliorate the condition of both officers and men that I would earnestly entreat their Lordships to increase the number of cruisers, if the same rigid blockade is to be enforced, so that each vessel will have a certainty of being released every four or six months from such wearisome duties, and enjoy for a time a change of climate, scene, and companions.

Two steamers were seen off Cape Palmas and Cape Three Points early in the year, which were duly notified by me to the squadron almost immediately afterwards. One of these, supposed to be the "*Cicéron*," attempted to communicate by signal with Porto Seguro on the 7th of May, but was prevented from doing so and nearly captured by the "*Pandora*," Commander Ruxton, and the "*Rattlesnake's*" launch. The "*Philomel*" and "*Jaseur*" were in company, but their Commanders being on shore they did not take part in the chase, otherwise there is every reason to believe she would have been captured.

This steamer appeared to be about the size of those belonging to the African Mail Company, and was very similar in rig, &c. Her speed is supposed to be about eleven knots.

Commander Cottam, of the "*Speedwell*," reports that another steamer (supposed slaver) was seen from the masthead of his vessel on the 17th of May, but that she steamed away to sea immediately afterwards.

Lieutenant Allingham, of the "*Antelope*," gives intelligence that a slave-steamer was seen off Porto Novo on the 8th of May by the French Admiral.

Lieutenant Knowles, of the "*Investigator*," reports that a screw steam-barque appeared off Little Popo on the 14th June, and after reconnoitering the cruisers proceeded to the westward.

It is very difficult to obtain correct information from the shore relative to the movements of either slaves or dealers. The natives of Jackin and Appi would have no communication with the "*Antelope*" when Lieutenant Allingham was stationed there; and this officer states that if they discovered that the master of a merchant-vessel had visited an English ship of war lying off that part of the coast, all trade with him would cease, and they would not allow him to land.

The slave-dealers in the Bights have this year been very much disconcerted by the success of the blockading squadron and cannot understand its meaning. The principal dealer at Whydah, Soares or Swarrer by name, not being able to procure vessels on the coast suitable for his purpose, went to London in the African mail steamer from Lagos about the middle of the year to purchase what he required, and, failing in this, it was his intention to proceed to New York on a similar errand.

The death of Domingo Martinez, who resided at Whydah during the last years of his life, may possibly have a beneficial effect upon the prospects of the Slave Trade in the Bights, as he was a man of large means and of the greatest experience in these matters. He was also well known and trusted, and the King of Dahomey sought his advice upon all occasions connected with the buying and selling of slaves. The death of such a man at this critical juncture may therefore be looked upon with some degree of satisfaction by those who are working for the abolition of the Slave Trade, and although others may take his place and resume his occupation, it will be difficult to find his equal in all matters connected with this traffic.

There are two ways of stopping the Slave Trade in the Bights; one, by the blockade of the whole coast, as at present, but with an additional two vessels of superior speed and stowage; and the other, by the blockade of the King of Dahomey's territory only.

Both of these are practicable, but the last will be the least expensive, the easiest and quickest way of succeeding, because, as I have before mentioned to their Lordships, the King of Dahomey is the great head of the Slave Trade throughout the whole of this part of the country, and feeds himself and his people upon the productions of the white man's country. Powder, arms, rum, tobacco, silks, cloths, iron, cowries, silver ornaments, &c. are essential to the preservation of his rank and crown, and they are given in large quantities to his chiefs and people at the annual customs.

If a blockade is established and nothing whatever allowed to be landed I am quite certain that in six months we shall find the King submissive at our feet, and readily yielding to our demands for a Treaty.

Those who know the Africans and how eager they are for trade and for the white man's goods, will agree in this opinion, but it may perhaps be said that there are other means of supplying the wants of Dahomey than by Whydah and the seaboard belonging to the King. It is, however, not so easy to do this as some may imagine, and if the French will act in concert with us at Porto Novo I am quite certain that the difficulties which will be experienced in sending things to Dahomey from other places will be greater than the exchequer of the King can stand. It must be remembered also that Dahomey is surrounded by hostile Chiefs, who would gladly assist in bringing this hated despot to submission by a pressure of this kind, without actually involving themselves in a war with him.

When this desirable end is obtained, all minor Chiefs will follow his example.

Legal Trade.—The minds of the natives are gradually turning to the necessity of cultivating the soil and collecting the produce of the country for exportation. The uncertainty of the Slave Trade is beginning to have its influence in various ways; and if we can successfully prevent the slave-dealers from shipping during the forthcoming year, I think we may reasonably expect to see a change take place in the general condition of the people.

Merchant-ships are plentiful all along the Bights, principally at Whydah and Lagos, but they are also seen at Great Popo, occasionally at Aghwey and Little Popo, and to the westward of the River Volta. The trade is carried on at these places by the English, French, American, Dutch, Hamburgh, and Portuguese, but the Brazilian flag is rarely seen.

The difficulties with Abbeokuta still prevent the progress of much trade at Lagos, and until perfect confidence is restored I do not know how it can be re-established.

Palm oil is the principal article of commerce, but there is nothing encouraging in the growth of cotton, which may arise from the unsettled state of the country amongst the natives, who, even if they had the money, do not possess either the energy or enterprize to lay it out in a proper way.

So long as the Slave Trade exists there will be little cultivation of the ground and small attention given to real progress, but when this great evil is eradicated we may venture to hope for brighter times in Africa, and that the green fields of civilization and commerce will cover over for ever those blood-red stains of misery and desolation, now deeply indented upon the soil, which have been produced by the long practical cruelties and degradation of her own people.

South Division.

There have been some captures of Slavers on the south coast during the past year, but the attempts to ship cargoes have not been so many as formerly.

Commander Perry, of the "Griffon," believes that only 3 slavers appeared on the coast between Banda Point and Ambriz from the 1st of January to the 30th of June. First, a brig, name unknown, sailed from Moanda about the 28th of January with 600 slaves on board, which have never been heard of since that time. As the vessel was in a very leaky state, she is supposed to have foundered at sea.

Second, the "*Venus*," brigantine, captured by the "Griffon" on the 8th of February.

Third, a felucca (believed to be Spanish), run on shore and destroyed by the "Griffon" off the River Congo on the 3rd of June.

A Spanish brigantine was captured when at anchor off the River Tapado, south of St. Paul's de Loanda, by the Portuguese schooner of war "*Napier*."

Commander Perry reports that he has heard rumours of other shipments

south of St. Paul's, but it is uncertain as to their truth. Slaves have been procurable in large numbers all along the coast, but the dread of capture on the Cuban side has prevented the Havana Companies from sending more vessels across. He thinks that the Slave Trade will be again revived shortly, from the arrival of Señors Netto and Campas, as well as other old slave-dealers, in the Congo and its neighbourhood, who state that a new Governor-General is likely to be soon appointed to Cuba.

Vast numbers of negroes in the barracoons have been destroyed by the small-pox.

The boats of the "Snipe," Commander Battiscombe, captured a barque, name and nation unknown, off Longo, on the 1st of July, and she has been since condemned at St. Helena. This officer reports that there are three Portuguese factories at Benguella Velha which employ a great number of slaves in cotton plantations, to the extent of nearly 300 acres. These slaves are lodged in barracoons, and could be shipped off immediately. He also says that slaves are being collected for shipment at Macula, Snake's Head, Mangue Pequeno, and Porto da Lenha, from which latter place they are transported by land to Moanda and Vista.

The "Dart," Commander Richards, captured a schooner without name, papers, or colours, on the 7th of July, off Vesta, and sent her to St. Helena for adjudication. This vessel left Havana on the 7th of April, and ran into Vesta the evening previous to capture, where she landed the captain. The mate stated her name to be the "*Belle*," of 100 tons, and that she has been employed until recently in running cargoes of cotton between the Confederate States and the Havana.

The "Dart," whilst proceeding to Fernando Po with the mails for England at the latter end of July, made another capture of a brigantine, name and nation unknown, in the neighbourhood of Cape Lopez, and sent her to Sierra Leone for adjudication, but I have not yet heard of her condemnation.

The "Lee," tender to the "Rattlesnake," Lieutenant Foote commanding, whilst cruising off Whale's Head, captured a barque on the 10th of July, without colours, fully equipped for the Slave Trade, and ready to receive a cargo of 800. She is believed to have left Cadiz on the 6th of April. The name of the master or owners was unknown, although there was a person on board who was taken by the "Espoir" two years ago, and seemed considerably interested in the vessel. He told Lieutenant Foote that he had made five successful runs out of fifteen trips. Lieutenant Foote thinks that the shipment was to have been made between Egito and the River Tapado.

The "Lee," while cruising off Mangue Grande, boarded a fore-and-aft schooner, under Portuguese colours, on the 23rd of April, and with an American ensign on board. Considering her suspicious, from the absence of proper papers, Lieutenant Foote towed her to St. Paul's, where she was afterwards released by the Mixed Commission Court, their judgment being that he was authorized in detaining her, but there was not sufficient proof of her being engaged in the Slave Trade. She was not condemned, but the owners were sentenced to pay all expenses, amounting to about 150%.

The Slave Trade is still carried on in this division from Cape Lopez in the North to Cape St. Mary's in the South, with the exception of a small portion of the coast between Ambriz and St. Paul's de Loanda.

Although the Governor-General of Angola is most earnest and determined in the cause of abolition, it is quite impossible for him, with all his desire to faithfully carry out the Treaties with Great Britain and Portugal, to prevent the Trade being carried on, in consequence of the limited means at his disposal. He has a large extent of coast to watch, and but two vessels to employ on this service.

The Portuguese possessions on this coast have never possessed a Governor-General more anxious and more willing to co-operate with the British squadron upon all occasions than the present one, Señor Jozé Baptista d'Andrade, who, himself a naval officer and of large experience in these matters, perfectly understands the difficulties they have to encounter. I feel myself greatly indebted to him for his courtesy and assistance under every difficulty; and I am quite certain that if every Portuguese Governor were like him, the Slave Trade on this part of the coast would soon be extinguished.

The Governor of Mossamedes or Little Fish Bay, Lieutenant-Colonel Fernando da Costa Leal, of the Engineers, is an officer of the same high stamp as the Governor-General; and while he remains in this position there is no fear of any slaves being shipped from places under his immediate control. I cannot speak too

highly of these gentlemen, who seem to have the real good of Africa and their own Colonies at heart.

The system of sending domestic slaves from the Province of Angola to the Island of St. Thomas in large numbers has ceased, and every vessel which has more than eleven negroes on board, including men, women, and children, and even under this number, without the signature and seal of the Governor-General, becomes a lawful prize, so strictly are the laws enforced.

At Benguella Velha, Novo Redondo, Equimina, Lucira, and Catara, slaves are easily to be obtained.

Legal Trade.—Legal Trade has increased in all parts of this coast, and in the Congo Mr. Elkman is doing an excellent business in palm oil, for the house of Messrs. Kerdyk and Pencoff, of Rotterdam; he also deals largely in ground nuts.

Commander Perry, in his frequent visits up this river and elsewhere, has himself seen large quantities of produce purchased from the natives by men who were before solely engaged in the Slave Trade. The traffic in ground nuts, palm-nut kernels, ivory, gums, the zerzilin and orchella weed is rapidly increasing; but at Porto da Lenha trade of every description is at a stand-still, in consequence of the natives wishing to force the Portuguese to re-establish their factories at Boma, which have been deserted on account of the recent lull in the Slave Trade.

To accomplish this, the chiefs have gone to the lengths of stopping even the necessaries of life from being sold to residents, whether engaged in legal or Slave Trade firms. Señor Barros, who in the year 1861 cleared the large sum of 7,000*l.*, was one of the victims of this state of affairs, and he lately died in great penury at Porto da Lenha, indebted for the last offices of the dead to Mr. Elkman, of Banana Point.

Capital is wanting at St. Paul's and everywhere else, for the development of African productions. Money made by the Slave Trade is rarely used, as in days of old, for the improvement of this country, and hence we cannot be surprised at the want of even common progress. Very little food is sufficient for the native, and his character is sadly against gaining his livelihood by the sweat of his brow. He will not work as long as he can procure a few small fish and a handful of rice. The gains of the merchant who deals in every kind of goods cannot, under such circumstances, rapidly increase, and he is contented to live on his capital and small profits rather than to look forward with the certainty of making his fortune.

General Observations.

There is no doubt that slaves are to be procured in almost any numbers throughout the whole extent of the African Coast, and that the means of shipment are alone required.

I believe that even in the British possessions along the Gold Coast, in the interior of the country behind Accra and to the eastward of it, slaves are purchased and even come from the country, under English protection. From this part of the coast they are sent to the depôts in the neighbourhood of Aghwey and Great Popo.

I have before mentioned to their Lordships the system pursued by the Dutch Authorities at Elmina, and I have no reason to alter my opinion. It is far easier and certainly more simple to sell a servant than to punish him, because you can buy another; and this is a common way of getting rid of a troublesome person of either sex.

In the Bights, slave-factories are everywhere, as the slaves can be rapidly moved by the interior lagoons, and the canoes carried and launched again across the narrow belt of sand that divides these natural canals from the sea, which affords the dealer a ready means of shipment.

It is reported that the aggregate number of slaves collected together beforehand in three places for shipment on board the slave-steamer "*Cicéron*," which attempted to communicate with Porto Seguro on the 7th May, amounted to 2,000. By May 31, 800 of these are supposed to have died in consequence of the strength and activity of the blockading squadron, which caused constant movements of the slaves from the depôts during the height of a severe rainy season, as well as the extraordinary high price of provisions from the same reason, which obliged the slave-dealers to keep them almost at the starving point.

The small-pox committed, also, the most fearful ravages amongst them whilst in this wretched state, as they were wightly driven from place to place for the purpose of eluding the vigilance of our cruisers.

It will scarcely be believed what amount of suffering these poor miserable

beings have to go through in the desperate attempts made by their masters to send them away. Those who are fortunate enough to get on board may think themselves lucky in escaping with their lives, but those who are left behind in the hurry of embarkation are in many cases made away with by poison or other means, as this mode of dealing becomes a necessity on the part of the slave-dealer in consequence of his enormous losses and his utter inability to feed and maintain them.

Their Lordships will see by these few remarks that this state of things, however to be lamented, has been entirely brought about by the unwearied exertions of the blockading squadron; and I can with the utmost confidence hold out the prospect of certain success if the blockade is rigidly maintained and the number of cruisers augmented.

England can effect the abolition of the Slave Trade by her own unaided efforts, notwithstanding all that may be said to the contrary by those who do not understand the question in its practical form; and after all the sacrifices that have been made, it will never do to abandon it now.

Our national honour is at stake, and we have a great principle to maintain, which, as the head of the great Christian nations, must not be lightly considered. To give up the cause of African freedom at this time would be nothing more nor less than to acknowledge that we have undertaken a work which we cannot accomplish, and which we deem to have been of no importance from the beginning.

But it must be remembered that there are sacrifices still to be made, and that life and death are in the compact. The health of our officers and men will suffer, but they are equal to the task; and it is in their behalf, and to prevent further suffering from disease, contracted in this unhealthy climate, as well as to mitigate the evils which follow in the footsteps of those unhappy beings on shore who are mercilessly sacrificed to satisfy the passions of miscreants who deal in their blood, that I would make an earnest appeal to their Lordships for an augmentation to the squadron, whereby reliefs may be made certain, and the abolition of the Trade more quickly ensured.

Inclosure 1 in No. 151.

RETURN of Slavers Captured by Her Majesty's Cruisers on the West Coast of Africa Station, between January 1, and December 31, 1864.

Date of Sailing from last Port.	Names of Vessels.	Nation.	Rig.	Tons.	Owners.	Cargo.	Place of Shipment.	No. of Slaves.	By whom Captured.	Date.	Place.	Remarks.
Unknown	Unknown	Unknown	Brigantine	200	Unknown	Slave provisions	Bahia Fonta	Unknown	"Griffon"	1864 Feb. 8	Off Ambrizette	Supposed to be the "Venus," and to have sailed from Cadix in November, 1863; was detained by "Antelope" on a former voyage, in February, 1863, but was released by Mixed Commission Court at Loanda.
Ditto	Ditto	Ditto	Felucca	Unknown	Ditto	Slaves, number unknown	Unknown	Ditto	Ditto	June 3	Off Point Padone	This felucca was run on shore; the slaves landed to the beach, but were all killed or destroyed; 6 of the slaves were afterwards recovered from the natives of Shark's Point.
Ditto	Ditto	Ditto	Barque	Ditto	Ditto	Slave provisions	Ditto	Ditto	"Snake"	July 1	Off Longa	Had no colours or papers. Has been since condemned at St. Helena.
Ditto	Ditto	Ditto	Schooner	100	Ditto	Ditto	Ditto	Ditto	"Dart"	July 7	Off Vista	Supposed to be the "Belle," and to have sailed from Havana on April 7, 1864. Had been recently employed running cargoes of cotton between the Confederate States and Havana.
Ditto	Ditto	Ditto	Barque	300	Ditto	Slave provisions, coppers, and water	Between Egbe and River Lapado	800	"Lee," tender to "Rattlesnake"	July 10	Off Whale Head	Had no papers nor colours, and was fully equipped to carry 800 slaves. Had a person on board who had been captured by the "Esperanza" and who stated that the vessel was a schooner, and was engaged in the trade. Stated he had made five successful runs out of fifteen trips.
Ditto	Ditto	Ditto	Brigantine	Unknown	Ditto	Unknown	Unknown	Unknown	"Dart"	Latter end of July		Sent to Sierra Leone for adjudication. Further intelligence not yet received.
Ditto	Ricardo Schmidt	Italian	About 700	Ditto	Ditto	Slave provisions, coppers, and plants	Ditto	Ditto	Lieutenant Dunlop of "Ariel," while in charge of a prize crew at Sierra Leone	Aug. 2	Sierra Leone	Put into Vice-Admiralty Court at Sierra Leone. No further intelligence as yet received.

"Rattlesnake," at Ascension, December 1, 1864.

(Signed)

A. P. EARDLEY WILMOT, Commodore, Commanding-in-chief.

REPORTS FROM NAVAL OFFICERS.

Inclosure 2 in No. 151.

RETURN of Vessels which are said to have Escaped with Slaves from the West Coast of Africa, between January 1, and December 31, 1864.

Date of Sailing from last Port.	Name of Vessel.	Nation.	Rig.	Tons.	Owners.	Cargo.	Place where Slaves were Shipped.	Date of Shipment.	Remarks.
Unknown ...	Unknown ...	Unknown ...	Brig. ...	Unknown ...	Unknown ...	600 slaves ...	Moanda ...	1864. January 28.	This vessel has never been heard of since. Being in a very leaky state at the time of shipment she is supposed to have foundered at sea.

"Rattlesnake," at Ascension, December 1, 1864.
(Signed) A. P. EARDLEY WILMOT, Commodore, Commanding-in-chief.

"Rattlesnake," at Ascension, December 1, 1864.

EAST COAST OF AFRICA.

No. 152.

Rear-Admiral Sir B. Walker to the Secretary to the Admiralty.

Sir,

"Narcissus," Simon's Bay, November 17, 1863.

I HAVE the honour to submit, for the information of the Lords Commissioners of the Admiralty, the following remarks upon the state of the Slave Trade on the coasts of Africa for the year ending the 30th of September last.

2. During my tour of inspection of the West Coast in the early part of this year, I commenced by making a close examination of the shore and ports northward from Walwich Bay; and the first intimation which reached me of slave transactions was at Little Fish Bay on the 2nd of January last. A Spanish vessel was then expected to ship a large cargo of negroes at some spot between that place and Benguela.

3. This report proved correct, for the vessel in question was captured by the "Wrangler" (see Inclosure 1); and as the "Narcissus" passed the intended place of shipment, near Elephant Bay, on the day it was to have taken place, much commotion was noticed.

4. It has been stated that the Slave Trade south of St. Paul's de Loanda was almost extinct, and I had hoped so; but this case and, the fact of Benguela being noticed to be full of slaves, is a proof that it has revived in some measure, probably arising from the close blockade of the River Congo, which leaving this coast less observed, induced the slave-dealers to resort thither. There is no doubt that other shipments have taken place during the past year; and I am under the impression that the slaver captured by the "Brisk" off Anna Bon took some of the slaves intended for the "Wrangler's" prize. Measures are now taken to keep a closer watch of this part of the coast.

5. At St. Paul's de Loanda I learnt with some satisfaction that the newly-appointed Governor-General had taken active measures to put an end to the reputed emigration of Africans to St. Thomas' Island, as there is every reason to believe that that was about to become a depôt of slaves for exportation. The selection of that officer is some assurance of the determination of the Portuguese Government to suppress the Slave Trade in their Colonies; and should Mr. Vredenburg, the British Commissioner, take the same lively interest as his predecessor in the cause of African freedom, slave-dealers will soon disappear from that locality altogether.

6. From St. Paul's de Loanda to Loango, north of the Congo, the coast appears to be given up to the Traffic in human beings for the last two years, as the greater portion of the slave-vessels captured, and those which have escaped with their cargoes, resorted thither.

7. On anchoring at the mouth of the Congo river, the first object which struck my notice was a schooner carrying a French flag; her movements and appearance were most suspicious. I caused her to be visited to verify her nationality. Her papers were found to be correct, but the master openly asserted that he had 50 slaves on board and intended to ship more. This subject has been specially reported to their Lordships. The French depôt, at which slaves were collected for transport under the so-called Free Emigration System, still exists at Banana Point, where French colours are exhibited. I am informed that the orders of the French Government to discontinue this scheme did not include the abolition of these establishments. Their presence cannot but tend to encourage the slave-dealers in their desolating pursuits, leading them to suppose that supplies of human beings will again be required for the same purpose, and it will take considerable time before the mischief thus created is entirely eradicated.

8. All the merchants' agents at Porto da Lenha, of whatever nation they may

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be, are more or less concerned in the Slave Trade, and it is to be deplored that so noble a river as the Congo should now be the greatest outlet of African blood into slavery. It is a matter for grave consideration whether or not the Native Chiefs on this river, who are the sellers of their own offspring, should not receive some signal punishment for their open violation of the laws of humanity and civilization. It is asserted that they provide upwards of 15,000 of their fellow-creatures annually for exportation. This year, owing to the vigilance of the cruisers, many shipments have been prevented; consequently several hundreds of slaves are on hand unprovided for, and it is lamentable to think that this alternative will be partially met by starvation.

9. From Loango to Whydah the export Slave Trade has nearly disappeared, owing in a great degree to the spread of legitimate commerce, and to the cultivation by the natives of palm oil, ground nuts, cotton, and other articles; and the possession of Lagos has most effectually stopped the exportation of slaves in its vicinity.

10. Whydah and the neighbouring coast towns belonging to the King of Dahomey still maintain the Slave Trade, but not with that certainty of supply as formerly. The last shipment of slaves from this locality of which certain information has been obtained took place at Aghwey on the 20th of October, 1862, when about 1,100 slaves were shipped in two or three hours by the Spanish steamer "*Noc Daqui*," under French colours. The cruisers were apprized of her intended arrival on the coast, but, unfortunately, whilst the "*Griffon*" was in chase of a steamer in that locality, which proved to be the French vessel of war "*Lamotte Piquet*," the slaver made her appearance, embarked her cargo, and effected her escape. It is alleged that Spanish agents came purposely to arrange for this cargo, and went away again by the packet.

11. Should the conciliatory measures adopted by Her Majesty's Government not succeed in inducing the King of Dahomey to abandon this horrible traffic, the only alternative seems to be to closely blockade all his ports of trade for two or three years, at least, by which his means for making presents to his Chiefs at the annual customs will be cut off, and his power and influence so lessened as to compel him to turn to lawful pursuits.

12. On the Northern Division the Slave Trade appears to be declining fast; there were reports of slaves being collected in small numbers at some of the islands for shipment by schooners which are said to rendezvous at the Cape Verde Islands, but no captures have been made for more than a year. In this Division, as in the Bights, this must be attributed to the watchfulness of the cruisers, and to their improved efficiency for the suppression of the Slave Trade, as well as the growing increase of legitimate commerce.

13. There can be no doubt that the extending occupation of the sea-coast of Western Africa by the European Powers, and the spread of civilization, is fast closing the sources of Slave Trade; and could the present squadron (without being so subject to diversion for other purposes by the requisitions of Governors, &c.) be wholly employed in its suppression, the export of Africans would soon become of rare occurrence.

14. The Lists appended of slave-vessels seized, and of those reported to have escaped, will afford their Lordships some idea of the extent to which the Slave Trade has been conducted for the last year. It will be seen that of fourteen vessels known to have visited the coast, capable of carrying upwards of 9,000 slaves, three made their escape with 3,100. Of the captured vessels there were four with 1,510 slaves in; the remaining seven were empty, but estimated to carry about 4,500; and leaving a margin for vessels unknown, the annual export may be taken, in round numbers, to exceed 10,000; of this only 1,100 are known to have been provided from the Bights, the rest have been obtained chiefly from the River Congo and coast to the southwards.

15. On reviewing former reports, and taking into consideration the co-operation of the United States' Government for its abolition, I am inclined to believe that there is a marked diminution in the export Slave Trade from the West Coast of Africa during the past year. And if Great Britain was cordially supported by the other Powers this debasing Traffic would soon cease to exist.

16. From the unusual number of merchant-vessels fallen in with during my cruise, legitimate commerce would appear to be steadily increasing. Good faith and confidence between the native merchants and foreign traders is better maintained, and becoming more general throughout the West Coast.

East Coast of Africa.

17. The Slave Trade from this side of the Continent of Africa is carried on to a far greater extent than is generally supposed in Europe.

18. It consists of two separate branches, namely, that conducted by the Portuguese, and the other by the maritime Arabs; the former has been in existence for the last century, whilst that of the latter is of more recent origin.

19. The great increase of late of the Arab export Slave Trade from Zanzibar and vicinity may be traced to the discontinuance of that Traffic through Tripoli and Tunis, as most of the slaves are taken to the markets formerly supplied from those places.

20. This horrible business is carried on by the maritime Arabs of the Red Sea and Persian Gulf; they visit Zanzibar and adjacent coast at the expiration of the north-east monsoon in squadrons of from 50 to 100 native vessels, called dhows or buddeens, varying from 40 to 200 tons, and each capable of carrying from 60 to 300 slaves. They bring quantities of dried fish (shark) and cotton, which they exchange for negroes, in preference to anything else.

21. The greater number of these vessels begin to return at the commencement of the south-west monsoon, about the end of March; some leave at a later period, and the rest in the months of September and October.

22. During the last three years I have directed the energies of the few cruizers I have had at my disposal for the suppression of this Traffic: and, notwithstanding the severe measures they have adopted, by which more than 100 of these vessels have been captured or destroyed, such are the strong inducements and profits of it, that I am informed many vessels are expected next year of a faster description, and better armed.

23. The light draught of the Arab vessels, and the intricate nature of the coast in consequence of the numerous shoals and small islands, enable them to evade the cruizers; and although the boats have in many instances intercepted and cut them off, the larger number have escaped either by superior sailing, or from better knowledge of the navigation.

24. When the Arab finds that escape is impracticable, he invariably runs his vessel to the shore, and in the endeavour to make the slaves escape into the bush many are drowned. It is owing to this practice that so few vessels are taken with the slaves on board.

25. In the year ending the 30th of September, 1862, twenty-two dhows were captured, estimated to carry from 2,000 to 3,000 slaves; of these only three had their cargoes on board, numbering 289 slaves. During the last year twenty-one of these slave-vessels have been seized, calculated to carry a similar number, two of which had 123 slaves in.

26. From the reports of the several commanders of the cruizers, I gather that they consider their vessels too large, and entirely unsuited to cruise effectually in suppression of this Traffic: neither are their boats of sufficient power or speed to cope with the numbers of Arab vessels they occasionally meet; single-handed they are generally successful.

27. Strong currents and fresh breezes prevail much in the latitude of and to the northward of Zanzibar, making it very unsafe for the large cruizers to keep in-shore; and the same causes render it very dangerous to open boats.

28. The source whence such numbers of Africans are taken appears to be the country round the great lakes in the interior. They are brought to the coast near Keelwa, or Quiloa, by the captors, who make them carry on the road thither ivory, and other produce. Thence about 20,000 of them are taken during the year to supply the market for the domestic slaves in Zanzibar and Pemba, independently of those carried off by the Northern Arabs.

29. The Slave Trade from the Portuguese territories supplies that to Cuba, the Comoro Islands, French Settlements, and Madagascar, being better suited for the purpose.

30. Four or five vessels under Spanish and other colours are said to visit the East Coast of Africa and the western ports of Madagascar yearly for the purpose of obtaining cargoes of slaves. Two are reported to have made successful shipments at Inhambane, and another from Ibo. A vessel called the "*America*" is now on the coast under observation. Upwards of 3,000 slaves upon the average are so taken off.

31. The traffic with the Comoro Islands is very extensive and easily carried on,

as the native vessels can make a trip to them from the coast during the night. The slaves, after being landed there, are re-shipped in vessels with French agents, and taken to their settlements at Nosbeh and Mayotta, under the name of "engagés," where they are employed in the cultivation of sugar, &c.

32. The number of Africans transported to Madagascar from the Portuguese dominions is much on the increase. Many of these are for re-embarkation in foreign vessels for Cuba ; the others are employed for agricultural purposes.

33. Besides those exported for slavery, nearly all the natives in the Portuguese territories are held in bondage of the most corruptible and degrading kind. In the small Island of Mozambique, where there are only about 600 Portuguese, there are 5,000 slaves, and the mortality amongst the domestic slaves is so great that they are always in demand.

34. Dr. Livingstone in his letters to me states that the country about the Shire and Lake Nyassa is desolated by the slave-hunters.

35. The Portuguese do not employ their slaves in any extensive cultivation of the land, or for manufacturing purposes, but merely to provide for the present necessities, and for sale when a favourable opportunity offers. Under such circumstances it cannot be matter of surprise that there is little or no legitimate foreign trade in the Province of Mozambique.

36. At Zanzibar the slave is trained to the cultivation of produce for exportation, and there is therefore considerable commerce carried on at that Island with German, French, and American merchants; there is also a good trade with our Indian Possessions.

37. I have annexed, for their Lordships' information, a list of slave-vessels captured on the East Coast of Africa by Her Majesty's cruisers during the past year.

I have, &c.

(Signed) B. W. WALKER.

RETURN of Slave-Vessels Captured by Her Majesty's Cruisers on the West Coast of Africa, between October 1, 1862, and September 30, 1863.

REPORTS FROM NAVAL OFFICERS.

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Date of Sailing from last Port.	The Vessel's					Intended		By what Ship Captured.	Captured.		Remarks.
	Name.	Nation.	Rig.	Tons.	Owner.	Cargo.	Place of Shipment.		Date.	Place.	
Unknown - -	Unknown - -	Unknown - -	Barque -	158	Unknown - -	Rice and slave provisions and equipment for the Slave Trade	Congo - -	Zebra -	1862 Oct. 3	Off River Congo -	Sent to St. Helena, where she was condemned.
Kinsebo, Oct. 9, 1862	Jane - -	Dutch - -	Ditto -	270	Gosira, of Curacao	A large number of water-casks	Ditto - -	Espoir -	Oct. 13	Ditto - -	The irregularity in the papers caused this vessel to be detained; she was condemned at Sierra Leone.
St. Paul de Loanda, October 30, 1862	E - -	Portuguese -	Felucca -	13	Martina Barbosa	4,000 dollars and 5 slaves	- - -	Ditto -	Nov. 2	Mangue Grande.	
St. Thomas, unknown	Supposed Liberteade	Late Portuguese	Brigantine -	130	Unknown - -	Slave provisions and equipment for the Slave Trade	Congo - -	Zebra -	Nov. 20	Congo River -	This vessel was in the fact of shipping her slaves at night.
Unknown - -	Unknown - -	Unknown - -	Felucca -	30	Ditto - -	81 slaves	Ditto - -	Ditto -	Nov. 20	Ditto.	
Cadiz, Sept. 21, 1862	Unknown, supposed to be Island Queen	Ditto - -	Ship - -	460	Ditto - -	Slave-fittings	Elephant Bay	Wrangler -	Dec. 28	Lat. 14° 37' S. Long. 9° 19' E.	Sent to St. Helena and condemned. This vessel was waiting at sea until January 5, when she was to have appeared off Elephant Bay to ship her cargo. The "Narcissus" passed, the day in question, and noticed the commotion.
Havana, August 21, 1862	Unknown, supposed to be Lola Montes	Ditto -	Brigantine -	130	Ditto - -	Water, rice, and calavances	Cabenda -	Antelope -	Dec. 25	Cabenda -	Sent to St. Helena and condemned.
Unknown - -	Unknown - -	Ditto -	Schooner -	120	Ditto - -	368 slaves	Supposed Elephant Bay Congo -	Brisk -	1863 Feb. 9	Off Island of Anna Bon Congo River.	
Ditto - -	Laura - -	Portuguese -	Brigantine -	140	Ditto - -	- - -	- - -	Zebra -	Feb. 11	-	
Ditto - -	Unknown - -	Unknown - -	Schooner -	140	Ditto - -	473 slaves	Ditto - -	Ditto -	April 17	Ditto.	
Ditto - -	Ditto - -	Ditto - -	- - -	150	Ditto - -	563 slaves	- - -	Espoir -	Aug. 23	Ditto.	

Four vessels captured, with 1,510 slaves on board. Eleven vessels captured, capable of carrying 5,980 slaves.

(Signed) B. W. WALKER, Rear-Admiral and Commander-in-chief.

Inclosure 2 in No. 152.

RETURN of Slave-Vessels which are known to have Escaped.

Date of Sailing from last Port.	The Vessel's						Place of Shipment.	No. of Slaver.
	Name.	Nation.	Rig.	Tons.	Owner.	Cargo.		
Said to be from Havre	Ocilla ...	American ...	Barque ...	...	Unknown ...	1,500 slaves	Congo, October 20, 1862	1,500
Unknown ...	Mondego ...	Portuguese ...	...	...	Ditto ...	500 "	Congo, Oct. 18 and 20, 1862	500
Ditto ...	Noc Daqui ...	Spanish and French colours	Screw-steamer	...	Ditto ...	1,100 "	Aghwey, October 20, 1862	1,100
						3,100 .. *		

* 3,100 slaves known to have been carried into slavery, and there are probably many more of which we have not received any direct information.

(Signed) B. W. WALKER, *Rear-Admiral and Commander-in-chief.*

Inclosure 3 in No. 152.

RETURN of Slave-Vessels Captured by Her Majesty's Cruizers on the East Coast of Africa, between, October 1, 1862, and September 30, 1863.

Name and Description of Captured Vessel.	Flag under which she was Sailing.	Names of Master and Owner of Captured Vessel.	Tonnage.	No. of Crew.	Date and where Captured.	Name of Capturing Ship.	Number of Slaves Captured.	Number died before Adjudication.	Total Number emancipated.	Before what Court Adjudicated, and Sentence.	How the Vessel was Disposed of.
Unknown, dhow ...	None ...	Unknown ...	80 to 100	...	October 1862 Off Brava	Penguin, tender to Narcissus	...	...	...	Cape of Good Hope	Burnt.
Ditto ...	Ditto ...	Ditto ...	81	...	Oct. 19, 1862 Lat. 4° 46' S.	Gorgon	...	...	...	Ditto	Ditto.
Ditto ...	Ditto ...	Ditto ...	91	...	Jan. 19, 1863 Kiwara	Ditto	...	...	...	Ditto	Ditto.
Ditto ...	Ditto ...	Ditto ...	132	...	Jan. 20, 1863 River Monguillio	Ditto	...	...	...	Ditto	Ditto.
Ditto ...	Ditto ...	Ditto ...	65	...	Jan. 22, 1863 Mikindang Bay	Ditto	...	...	...	Ditto	Ditto.
Ditto ...	Ditto ...	Ditto ...	80	...	Feb. 20, 1863 Lamoo Roads	Ditto	...	...	...	Ditto	Ditto.
Ditto ...	Ditto ...	Ditto ...	111	...	Feb. 27, 1863 Kubyoo	Ditto	...	...	...	Ditto	Ditto.
Ditto ...	Ditto ...	Ditto ...	124	...	March 6, 1863 Lamoo Roads	Ditto	...	...	...	Ditto	Ditto.
Ditto ...	Ditto ...	Ditto ...	40	...	Dec. 8, 1862 Off Pemba	Ariel	...	...	...	...	Ditto.
Ditto ...	Ditto ...	Ditto ...	51	...	Dec. 11, 1862 Off Pemba	Ditto	...	...	...	...	Ditto.
Ditto ...	Ditto ...	Ditto ...	157	...	Dec. 21, 1862 Syandra	Ditto	...	...	...	...	Ditto.
Ditto ...	Ditto ...	Ditto ...	138	...	Feb. 26, 1863 Off Comoro	Ditto	4	...	4	...	Ditto.
Ditto ...	Ditto ...	Ditto ...	80	...	March 6, 1863 Off Pemba Island	Ditto	...	...	...	...	Ditto.
Ditto ...	Ditto ...	Ditto ...	185	...	March 8, 1863 Off Pemba Island	Ditto	...	...	...	...	Ditto.
Ditto ...	Ditto ...	Ditto ...	145	...	March 14, 1863 Off Monia	Ditto	...	...	...	...	Ditto.
Ditto ...	Ditto ...	Ditto ...	253	...	March 31, 1863 Off Melinda	Ditto	9	...	9	...	Ditto.
Ditto ...	Ditto ...	Ditto ...	168	...	March 31, 1863 Off Melinda	Ditto	7	...	7	...	Ditto.
Ditto ...	Ditto ...	Ditto ...	...	...	April 9, 1863 Off Brava	Ditto	59	2	57	...	Ditto.
Ditto ...	Ditto ...	Ditto ...	156	...	April 23, 1863 Lat. 0° 27' S.	Ditto	2	...	2	...	Ditto.
Ditto ...	Ditto ...	Ditto ...	...	...	Long. 44° 48' E. April 9, 1863 Manda Island	Rapid	...	...	...	...	Ditto.
Ditto ...	Ditto ...	Ditto ...	...	...	April 25, 1863 North of Zanzibar	Ditto	42	...	42	...	Ditto.

Summary for Year ending September 30, 1862.

Vessels captured by "Gorgon"	...	...	...	1
" " "Penguin"	...	...	...	1*
" " "Narcissus"	...	...	...	1
" " "Ariel"	...	...	...	19
Total	...	...	...	22
Slaves captured by "Gorgon"	...	...	...	44
" " "Ariel"	...	...	...	246
Total number captured	...	...	...	290
Died	...	...	...	5
Emancipated	...	...	...	285

Summary for Year ending September 30, 1863.

Vessels captured by "Gorgon"	...	...	...	7
" " "Ariel"	...	...	...	11
" " "Rapid"	...	...	...	2
" " "Penguin"	...	...	...	1
Total	...	...	...	21
Slaves captured by "Ariel"	...	...	...	61
" " "Rapid"	...	...	...	42
Total number captured	...	...	...	123
Died	...	...	...	2
Emancipated	...	...	...	121

(Signed) B. W. WALKER, *Rear-Admiral and Commander-in-chief.*

No. 153.

Rear-Admiral Sir B. Walker to the Secretary to the Admiralty.

Sir,

"Narcissus," Simon's Bay, January 12, 1864.

I REQUEST you will acquaint their Lordships that, having noticed the arrival in Table Bay of two large ships, under Portuguese colours, with Chinese coolies on board for passage to Havana, I called upon the Port Captain at Table Bay to furnish me with such particulars as he could acquire relative to the characters of these ships and the manner of obtaining the coolies. I beg to inclose his replies for their Lordships' information.

2. The ships are stated to be American, with Portuguese papers and colours, and chartered by Spanish agents.

3. I presume, and hope, that this may be a system which will be found to be more profitable than the abominable Traffic in Slaves; but in what way these emigrants are procured in China will be best ascertained from our authorities at Macao.

I have, &c.

(Signed) B. W. WALKER.

Inclosure 1 in No. 153.

Mr. Wilson to the Secretary to the Naval Commander-in-chief.

Sir,

Port Office, Cape Town, January 7, 1864.

IN answer to the inquiries contained in your letter of the 5th instant relative to the Portuguese ship "Luisita Nunez," I beg to inform you, for the information of the Admiral, that the "Luisita Nunez" is a Portuguese ship of 684 tons, owned, in Macao, by Filemena M. de Gracia, a resident in Macao, and chartered by him to the Spanish Empresa de Colonization Alliance of the Havana, whose agents at that port are Ferman Dupirres, Captain Nunez in command, who proceeded from Macao, on the 30th October last, with 342 Chinese coolies, bound to the Havana.

It appears that the coolies were procured and engaged in the usual manner, with the consent of the Portuguese authorities, and properly cleared by the Customs. The seal of the Spanish Consul is attached to each individual passport on board. No Government official in charge. The arrangements are precisely similar to those in use during the last ten years in which the trade has been carried on.

I may further state that the same vessel was consigned to the House of Messrs. Thomson and Watson, whose principal is the Portuguese Consul at this port, and who informs me that all his papers and documents are genuine, bearing the seals of the authorities at Macao as required by law. His register was exhibited at the Custom-house on the occasion of entering and clearing at this port. She is an American-built vessel, and was sold in Macao to her present owners. She sailed yesterday.

A large Portuguese ship with coolies has just been made out from the Signal Station as standing in. No doubt another vessel of the same description.

I am, &c.

(Signed) H. WILSON, *Port Captain, Table Bay.*

Inclosure 2 in No. 153.

Mr. Wilson to Rear-Admiral Sir B. Walker.

Sir,

Port Office, Cape Town, January 7, 1864.

THE "Camoens," Portuguese ship, which arrived this afternoon, is an American ship called the "Julia J. Taylor," Captain Cooper; his officers and crew are nearly all the same he had when here before. He tells me that the ships are placed under Portuguese colours for protection against Confederate cruisers; they have a nominal master, who appears before the Consul to sign the papers, &c.

The "Luisita" was the "Fanny Fern" formerly, also at this port, and is under similar arrangements to the "Camoens," so that as far as papers go they are virtually Portuguese; once in New York, American again. The coolies are Chinese; very well cared for; apparently exceedingly clean; shipped by the house mentioned in my letter of this morning. I believe British ships are restricted from carrying Chinese coolies to Havana, owing to some information leaking out not creditable to the Portuguese and Spanish Governments.

I am, &c.

(Signed) H. WILSON, *Port Captain, Table Bay.*

No. 154.

Rear-Admiral Sir B. Walker to the Secretary to the Admiralty.

Sir,

"Narcissus," Simon's Bay, February 26, 1864.

I BEG to transmit, for the information of the Lords Commissioners of the Admiralty, copy of a correspondence which has passed between the Governor-General of Mozambique and myself, relative to Captain Alan Gardner, of Her Majesty's ship "*Orestes*," continuing the search of a suspicious Spanish barque which he had met at sea, until her arrival in the outer roads at Mozambique, from which it appears that that officer, in his anxiety to ascertain the true character of the "*Duque de Tetuan*," had overlooked the fact of the vessel having arrived within the jurisdiction of the Portuguese flag.

I have, &c.

(Signed) B. W. WALKER.

Inclosure 1 in No. 154.

Captain Gardner to Rear-Admiral Sir B. Walker.

Sir,

"Orestes," at Sea, November 25, 1863.

I BEG to inform you that on the 24th November, when thirty miles south of Mozambique, a vessel was observed standing to the northward. Upon closing her she hoisted Spanish colours.

At 9 A.M., taking with me Lieutenant Lang, I proceeded to examine the stranger; found her to be "*Duque de Tetuan*" (formerly "*Nuestra Senora del Carmen*"), of 585 tons, Manuel Bisquert, master. I examined the ship's papers, which appeared to be right. The vessel had cleared out from Cadiz for Monte Video with six passengers, and had a port clearance from the latter place dated 28th August, for Mozambique. On her way she had touched at Quilimane.

The crew consisted of eighteen; all, as far as I could judge, Spanish and Portuguese.

I then proceeded to examine and search the vessel. I found she had a regularly built lower deck nearly seven feet high. The captain explained she had been built for carrying passengers, and that on her last voyage she had carried passengers between Cadiz and Havana; the marks of the cabin bulkheads were still visible, and the floor cloth remaining in the steerage. There had been scuttles to all these cabins; those in the steerage were filled in from outside.

The vessel was in sand ballast, with salt in the after-hold.

There were several cases of arms, which were down in the manifest. There were two 4-ton tanks in the afterhold, casks enough in the mainhold to carry nine tons of water, a tank on deck, and one of the tanks in the afterhold was said to be stove.

In one of the sleeping berths in the cabin were lying quite open, and exposed to view, three pairs of handcuffs, and two sets of shackles or bars. Upon calling the captain's attention to them, he said they had been always in the ship, and were intended for maintaining discipline among the crew. To prove that they were part of the furniture of the ship, he produced the catalogue of the fittings, in which they were exactly described.

As there could be no doubt that this vessel is a confederate of the "*America*," whose arrival we had been told to expect, and as the "*America*" is strongly suspected of being engaged in the Slave Trade, I could not but look upon her as a most suspicious vessel; but as the only thing that I could see to justify me in sending her to a Court of Adjudication was the presence of the irons, I did not consider it sufficient to detain her. I therefore let her proceed.

Both vessels continued standing on for Mozambique. After the lapse of two or three hours, considering it would be desirable to obtain further evidence if possible, I sent Lieutenant Lang on board the "*Duque de Tetuan*" with a party to take temporary possession of the vessel, and to anchor her in Mozambique, in order to subject her to a further search.

Two more tanks were discovered in the forepeak, making in all receptacles for twenty-four tons of water, an extraordinarily large quantity for a merchant-vessel with eighteen men, but nothing to what the vessel would have required for a slave cargo.

These evidences would have justified me in sending the vessel to Court for adjudication, but I did not think they would condemn her.

I perfectly believe what the captain asserted, that no slave-fittings had been put in the vessel, and that she was in all respects in the same state as when running between Cadiz and Havana.

The captain told me that he expected two vessels, a brig and a schooner, from Quilimane, with rice with which he was going to load for Cadiz; and I heard directly I landed at Mozambique, that these vessels were expected with cargoes of rice for a Spanish ship.

I have, &c.

(Signed) ALAN H. GARDNER.

Inclosure 2 in No. 154.

The Governor-General of the Province of Mozambique to Captain Gardner.

(Translation.)

Illustrious Sir,

*Head-Quarters of the Residency of Mossuzil,
December 29, 1863.*

IT has been shown by the Report of the captain of the Spanish barque "*Duke of Tetuan*," Don Manuel Bisquert, now at this port, and by the deposition taken at the Secretariat of this Government General, that the

said barque having on the 23rd day of November entered the outer port of Mozambique without flag in the wake of the corvette "Orestes," under your worthy command (which raised a presumption that she was some legal prize), was, after anchoring, boarded by two barges with armed men sent to her from the "Orestes," and these men, together with the Marines from the same corvette, commanded by an officer, who were already on board of her, continued in your presence the search which had been begun for the second time before arriving at this port. The barque was soon after declared free, and she was then allowed to hoist her flag. This took place between 4 and 6 o'clock in the afternoon, a little before the arrival of the boats from the registry of the port, and from His Most Faithful Majesty's war-steamer "Maria Anna." The captain declared at the registry that he had entered the port without a flag because the English officer who was on board had ordered it to be lowered, declaring him a prisoner, and that since he had just now been pronounced free he had then hoisted the flag. I consider that in all this extraordinary and novel proceeding there is an offence against international law on the part of the cruising ship, because if the Spanish barque had really been the prize of the "Orestes," as it appeared on her entering this port, she could not have been released without more formality, which it appears was the final result of the search made and finished in the outer port of this town, where she cast anchor with the "Orestes;" and if she was not a prisoner, as is shown by the subsequent fact of your declaring her free, and allowing her to hoist the flag, you exercised a right over a foreign ship within this port and there anchored, which you are not ignorant could not be exercised, that of visit, thus infringing the rules of international law, and the respect due to a foreign territory, and that of a friendly and allied nation.

As these acts involve a breach of rights which it is my duty to watch over, and to make respected, as they assault the dignity of my country, and as it is clear from the circumstances reported that it was not possible to prevent by any means those acts, since they could neither be foreseen nor avoided, I consider it my duty to protest against your proceedings towards the Spanish barque "*Duke of Tetuan*" within this port as irregular and offending against international laws, as well as against the respect due to the territory of the Portuguese nation, you being responsible before the proper authority for what has taken place.

I hope you will be pleased to acknowledge the receipt of this despatch, of which I give information at this date to my Government and to the Commander-in-chief of Her Britannic Majesty's naval station on this coast.

God preserve, &c.

(Signed)

JOAO TAVARES DE ALMEIDA.

Inclosure 3 in No. 154.

Captain Gardner to the Governor-General of the Province of Mozambique.

Your Excellency,

"Orestes," at Mozambique, December 31, 1863.

I HAVE this day received with regret a letter from your Excellency in which you state, on a representation made by the captain of a Spanish barque, Don Manuel Bisquert, whom like his brother Don Antonio Bisquert, the captain of the Spanish ship "*America*," you agreed with me in looking upon as very much to be suspected of having come to this coast for unlawful purposes, that I boarded with armed boats and searched the "*Duke de Tetuan*" after she had anchored in this harbour, and by doing so infringed upon international right, and showed disrespect to Portuguese territory, being that of a friendly and allied nation.

I thought, Sir, that in the conversation I had the honour to hold with you on this subject a few days since, I had sufficiently explained the real facts of this case, and that I had shown by my acts since I have been on this station how little I am likely to do any act willingly or knowingly to give offence to you, or to the flag under which you have the honour to serve.

In defending myself against the charges made against me in your Excellency's letter, I beg to inform you that I fell in with the "*Duque de Tetuan*" at sea, and visited her in the forenoon of the 23rd November. I did not then detain her, but upon the fact of her having irons on board, which by the Treaty between Great Britain and Spain alone would justify me in sending her into Court for adjudication, I determined to take possession of her until I could make further investigations into the character of the vessel. I therefore, at a distance of six miles from the shore, sent an officer with an armed party and took charge of the vessel, hauling down her colours, and anchored her outside, as a very strong current was running to the southward, which would have swept both vessels away from the port.

The vessel being under my custody, I proceeded immediately after anchoring to visit her in my boat, the boat's crew unarmed, accompanied by the First Lieutenant of this ship, with our swords.

I then again searched the vessel, and, after much thought, I determined to liberate her. I signified to the captain that he was at liberty to hoist her colours, and I left the vessel without loss of time, except to take some refreshment. I proceeded on shore to wait upon your Excellency at your palace of Mozambique, but was met on the pier end by your Secretary and an officer of His Most Faithful Majesty's ship "Maria Anna," who informed me you were at your country house on the mainland. I endeavoured to explain to your Secretary all the facts of the case, for your information, and I regret now that I did not address a letter to you to explain them. My not doing so was owing to my anxiety to go to sea the following morning.

I own I am very much surprised at the complaint brought against my proceedings by the captain of the "*Duque de Tetuan*," for I treated him with every courtesy, and as there can be no doubt I should have been justified in sending him to Sierra Leone for adjudication, he ought to thank me for my leniency.

I gathered from a recent conversation with your Excellency that you looked upon the "*Duque de Tetuan*" with as much suspicion as myself; and it appears to me that her captain in claiming to be injured may think to make himself appear more innocent.

I will take the earliest opportunity of sending the copy of your letter addressed to me, together with the one you addressed to my Commander-in-chief, to the Cape of Good Hope.

I have, &c.

(Signed)

ALAN H. GARDNER.

Inclosure 4 in No. 154.

The Governor-General of the Province of Mozambique to Rear-Admiral Sir B. Walker.

(Translation.)

Illustrious and Excellent Sir,

*Head-Quarters of the Government-General of the Province of Mozambique,
Residency of Mossuzil, December 29, 1863.*

HAVING at this date addressed to the Commander of Her Britannic Majesty's steamer "Orestes" the despatch of which a copy is annexed, wherein I protest against certain acts done in regard to the Spanish barque "Duque de Tetuan," at present anchored in the inner port of this town, I consider it my duty to give your Excellency information thereof, as I do by this present, reiterating before your Excellency the protest contained in the same against acts which I consider to be wrongful and contrary to international law, an account of which I submit at this same date to the consideration of His Most Faithful Majesty's Government, in order that such proceedings may be taken as may be thought best.

God preserve, &c.

(Signed)

JOAO TAVARES DE ALMEIDA.

Inclosure 5 in No. 154.

Rear-Admiral Sir B. Walker to the Governor-General of the Province of Mozambique.

Sir,

"Narcissus," Simon's Bay, February 1, 1864.

I HAVE had the honour to receive your Excellency's letter dated the 29th December last, inclosing the copy of a protest you had addressed to Captain Alan Gardner, of Her Britannic Majesty's ship "Orestes," against certain alleged acts of his towards the Spanish barque "Duque de Tetuan," in the outer anchorage at Mozambique. I have also received from Captain Gardner copy of his explanation to your Excellency of his proceedings in this case, which enables me to offer a few remarks in reply to your letter above-mentioned.

It appears to me that Captain Gardner, in reliance upon your Excellency's well-known determination for the suppression of the Slave Trade, has been inadvertently led into what might be considered an infraction of international law; but as you are personally acquainted with that officer, you must be aware that it is more the result of accident, arising, probably, from over zeal than intention.

On a careful perusal of his explanation, you will perceive that he has acted with the fullest consideration towards the master of the "Duque de Tetuan;" and rather than suffer that vessel to miss reaching the port, from which she was a considerable distance at sea, when the "Orestes" met her, by any detention in searching her, Captain Gardner sent a party on board to make the usual examination whilst the vessel pursued her course. On reaching the outer anchorage of Mozambique Captain Gardner, overlooking the fact of the vessel having arrived in Portuguese waters, visited her again to learn the result of the examination, which it is not clear had been completed before the vessel in question had anchored. And when that officer had learnt that there was not sufficient evidence of the vessel being engaged in the Slave Trade, although there was much room for suspicion,—a fact, I believe, your Excellency has admitted,—he released her, and then immediately proceeded to wait upon you to inform you of what he had done.

Under such circumstances I am bound to state that there was no intention whatever on the part of Captain Gardner to show disrespect to the flag of Portugal, or to infringe international law.

I have received several reports from the Commanders of the cruisers on the East Coast of Africa, acquainting me with the exertions your Excellency is using to put an end to the cruel and unnatural Traffic in Slaves, and of the assistance you have constantly afforded them. And this induces me to express my sincere hope that you will not permit the inadvertent act which you have noticed to mar the good and friendly feeling so happily existing between the forces under our respective commands.

I have, &c.

(Signed)

B. W. WALKER.

Inclosure 6 in No. 154.

Rear-Admiral Sir B. Walker to Captain Gardner.

Sir,

"Narcissus," Simon's Bay, February 22, 1864.

WITH reference to your letters respecting your proceedings towards the Spanish barque "Duque de Tetuan," suspected of being engaged in the Slave Trade, I have to inclose, for your information, the copy of my letter to the Governor-General of Mozambique on the subject.

Making every allowance for the anxiety you must have felt under the peculiar circumstances of the case, it is to be regretted that you did not determine what measures you would pursue with regard to the vessel in question before her arrival within the limits of Portuguese jurisdiction.

I have, &c.

(Signed)

B. W. WALKER.

No. 155.

Commander Wilson to Vice-Admiral Sir F. Grey.

Sir,

Inn Hotel, Chatham, March 24, 1864.

I HAVE the honour to forward for your information all particulars and correspondence touching the capture of three dhows engaged in the Slave Trade on the 20th and 27th February, and 6th of March, 1863, by the boats of Her Majesty's ship "Gorgon," then under my command, detached in charge of Mr. Jones (boatswain 2nd class), and Mr. Roe, Master-Assistant. Since my return to England I have received a letter from Lieutenant McHardy, commanding Her Majesty's ship "Penguin," an extract from which, by his authority, I also inclose, as bearing on the subject.

I have, &c.

(Signed) J. WILSON.

Inclosure 1 in No. 155.

Commander Wilson to Rear-Admiral Sir B. Walker.

(Extract.)

"Gorgon," Algoa Bay, May 20, 1862.

ON the 7th I proceeded to the northward to pick up my detached boats. Meeting Lieutenant Keppel the following day, with a dhow in company detained on suspicion, I transferred the crew of the matapie to the dhow, and sent her in charge of that officer to Zanzibar for adjudication. This vessel was very large (being at least 200 tons measurement) and in my opinion was intended for the Slave Trade, having no papers, a numerous crew, water-tanks, bouchos cut and ready for laying down as a slave-deck (detailed in Return dated the 31st of March).

On the 10th March, with our hired matapie, we anchored off Lamoo, when I discharged her. Here I was joined by the first division of boats, under Mr. Jones, boatswain. He reported having taken and destroyed three Northern Arab dhows (as detailed in Return of March 30th), and having had some sharp skirmishes with several others.

Finding that one of these vessels had been taken at the entrance of the river leading to Lamoo, and had justly given offence to the Arab authorities, I sent a letter of apology, and received a most civil answer, to the effect "that as both the dhows taken in the vicinity of Lamoo were known to be northern slave-vessels, the officer had done no harm."

His Excellency afterwards paid the ship a visit, and expressed himself in the same terms.

These three dhows were evidently engaged in the Slave Trade, as acknowledged by the Governor of Lamoo in two instances, and strong proofs in the third (slave-irons).

Extracts from Mr. Jones's letter of proceedings I annex, by which it will be seen that had he commanded a boat of greater speed, he would have probably made more captures.

Both boats were pierced in several places by musket balls, but fortunately there was no one wounded.

Inclosure 2 in No. 155.

Extracts from Mr. R. Jones' Journal of Proceedings when detached in charge of a Division of Boats from Her Majesty's ship "Gorgon," March 1863.*

February 20.—BEACHED the boats and stopped leaks in them. Crew employed cleaning boat's gear. Floated off at flood-tide, and anchored in stream. Boarded five Arab dhows, which proved to be legal traders. Sent gig out to board a dhow rounding the south point of Manda. Gig fired two blanks across her bows; she immediately altered her course and escaped the gig, after which the paddler bore down on her, when she ran on shore, and the crew deserted her. I boarded with Ruce and Purser, R.M., and found her without colours or papers. She was fitted for the Slave Trade, having a slave-deck laid, and two spare ones; three water-tanks holding from three to four tons; slave food, consisting of farinha, paddy, and salted shark; cooking utensils for about eighty persons; a quantity of arms, ammunition, and some goats. Hauled the dhow off, and anchored her for the night. Left Mr. Roe, Master's Assistant, and four men, in charge of her.

February 21, 5 A.M.—Weighed, with gig and dhow in company, and beat to the northward. Boarded a dhow coming from the northward; proved to be Turkish, from Muscat, bound to Lamoo. Stood to the northward, prize dhow proving unmanageable and very leaky, having lost her rudder when on shore, and split her sail to pieces. Brought up in 7 fathoms water and destroyed her, as she was quite incapable of making a passage.

February 27.—Anchored inside Kwyhoo Point. Daylight, weighed and stood out to sea. Observed eight dhows, two of which immediately stood out to sea. This looking suspicious I gave chase; the wind falling light got the oars out, and, after pulling for three hours, the gig overhauled the leewardmost one, and succeeded in making her lower her sail. The crew of the dhow appeared friendly until the gig got within a boat's length, when she opened fire from about fifty muskets. The gig hauled off a little, and continued to return the fire till

* Paddle-box boat, Mr. Jones and Mr. Roe, Master's Assistant; 2nd gig, W. Cunday, Captain Fore-top.

they saw it was useless wasting ammunition on her. The gig then returned to me and reported the circumstances. I immediately increased my speed in every way in my power, and gained on the chase rapidly till about 2 P.M., when, a breeze springing up, the dhow left me far behind. I then hauled my wind in chase of the other vessel; she did the same, and set another sail; we then got out our oars, and succeeded in cutting her off. I sent the gig to board whilst I pulled close under her stern; seeing we were determined, the crew laid down their arms, and we boarded. Finding she had no colours or papers, I searched her, and found three large tanks and three water-casks, capable of holding from six to seven tons of water; slave-food, composed of farinha, paddy, and salt shark; several muskets, swords, and daggers; also a number of spars. The crew were found throwing slave-irons overboard, but one of the men secured two pairs. She had a quantity of wooden platters, and chatties capable of cooking food for about 200 people. I also found on board 250 dollars. I sent Mr. Roe and seven hands to take her into Kwyhoo Roads, where we sent the crew (thirty-six in number) on shore, with as much provisions as they required.

February 28.—Daylight found the dhow very leaky, and a fearful smell in her, and being totally unfit for a voyage I thought it advisable to destroy her. I sent Mr. Roe with W. Cunday (captain fore-top) and Pat Buckley (stoker), to measure her, and then set fire to her, and remained until she was destroyed.

March 6.—Stood out and boarded a dhow; proved to be a legal trader. Observed a dhow coming from the southward trying to avoid me. I fired a shot across her bows. She hove-to. I boarded and found her to be a legal trader. Stood in. Observed several dhows coming from the northward. Two of them from their movements I suspected. I stood in and observed them creeping along the land. I fired two blank cartridges, and they not heaving-to, I fired a shot across one of their bows. She immediately hove-to, and we boarded. They resisted with sword and dagger, which we quickly put down without bloodshed. I then inquired for the captain, but could not discover him; the crew refusing to give me any information. I next asked for their papers; they said they had none; she was from Muscat, but they refused to say whither she was bound after leaving Lamoo. I overhauled her, and found slave-deck stowed away, three large water-tanks capable of containing $3\frac{1}{2}$ tons of water, and a number of skins filled with water; three pots capable of cooking for eighty people, and several metal chatties and wooden dishes; a quantity of matting, two spare slave-pinions, a large stock of slave food composed of cassada root, cassada balls, farinha, and paddy. I therefore determined to detain her until the arrival of Her Majesty's ship "Gorgon."

March 7.—The dhow was reported very leaky, so I went on board to satisfy myself. I found her half full of water. I sent hands on board to bail her out, but after working for two hours and making no impression I determined to destroy her. I searched for any valuables which might be in her, and found 21 dollars. We then cut away the mast and tried to set her on fire, but the water had gained so much that she would not burn, so I scuttled her after seeing everything all clear.

Inclosure 3 in No. 155.

Extract from Boarding-book.

Boarded.			Remarks.
When.	Where.	By whom.	
1864. Feb. 20	Lamoo Roads ..	Mr. Jones, Boatswain, 2nd Class	1. Ran on shore and deserted by her crew. 2. Without colours or papers. 3. Slave-deck laid. 4. 2 spare slave-decks on board. 5. 3 tanks of water, holding from 3 to 4 tons. 6. Slave food, consisting of farinha, paddy, salted shark. 7. Cooking utensils for about 80 people, viz., 3 large earthen pots, 2 small metal ones. 8. 25 wooden platters.
Feb. 27	8 miles east of Kwyhoo ..	Ditto	1. Without papers or colours, and fitted for Slave Trade. 2. Slave-irons (2 pair). 3. 3 tanks, capable of holding 2 tons of water each; and 2 18-gallon water-casks. 4. Slave food, composed of farinha, paddy, and salt shark. 5. Cooking utensils for about 200 persons, consisting of 4 large earthen pots, 4 small ditto, 3 metal ditto. 6. 30 wooden platters, and 10 large metal ditto.
Mar. 6	Lamoo Roads ..	Ditto	1. Without papers or colours. Resisted with swords and daggers. 2. Slave-deck (not laid). 3. 3 water-tanks, 2 capable of holding $2\frac{1}{2}$ tons, and 1 1 ton. 4. Slave food, composed of farinha, paddy, salt shark, and cassada-root. 5. Cooking gear for about 80 persons, viz., 3 large earthen pots and 4 metal ditto. 6. 30 wooden slave-platters, and 6 metal ditto. 7. Matting for slave-deck. 8. 2 spare slave pinions.

Inclosure 4 in No. 155.

Commander Wilson to the Governor of Lamoo.

Your Excellency,

"Gorgon," off Lamoo, March 10, 1863.

I REGRET exceedingly that the officer in charge of the boats detached from this ship should have so far mistaken his duty, and disobeyed his orders, as to take and destroy a slave-dhow at the entrance of your harbour, without receiving your permission to do so, for which I trust you will accept my apology.

I take this opportunity of thanking you for your attention and courtesy to the men and officers when at Lamoo on detached service, a circumstance which I shall have much pleasure in communicating to His Highness the Sultan of Zanzibar, as well as to my own Government.

I have, &c.
(Signed) J. WILSON.

Inclosure 5 in No. 155.

Commander Wilson to Her Majesty's Acting Consul, Zanzibar.

Sir,

"Gorgon," Zanzibar, March 29, 1863.

I HAVE the honour to acquaint you, for the information of His Highness the Sultan, that the boats of this ship captured three northern slave-dhows, on the 20th and 27th of February and 8th of March respectively, one off the south end of Kwyhoo, and the others in the vicinity of Shella.

His Excellency the Governor of Lamoo, in a letter dated 11th March, expresses himself satisfied that the latter vessels (coming as they did immediately under his notice) were legal captures.

I have, &c.
(Signed) J. WILSON.

Inclosure 6 in No. 155.

Lieutenant McHardy to Commander Wilson.

(Extract.)

"Penguin,"

THE Nacoda who was in the dhow when captured by your boats has since been taken by "Orestes" boats in a full dhow, all of which he had kidnapped, and in so doing had killed one. The man is now in Zanzibar fort.

[This paragraph refers to the Nacoda (or captain) of the dhow captured on the 27th February, 1863, eight miles east of Kwyhoo.]

No. 156.

Commander Chapman to Rear-Admiral Sir B. Walker.

Sir,

"Ariel," at Sea, April 12, 1864.

I HAVE the honour to forward herewith a letter, with its inclosures, reporting having placed a crew on board the Spanish ship "America," in order to navigate her to Sierra Leone, there to be adjudicated before the Mixed Commission Court on suspicion of being engaged in the Slave Trade; and in forwarding this report of my proceedings I would beg to observe that in addition to the statements made in the accompanying inclosure I am desirous of stating, for your information, that the accounts I received of this vessel at Nos. Beh were from a reliable source, and convinced me that unless I stopped her there and then, she would get away from the coast with a full cargo of slaves after all the efforts of Her Majesty's cruisers on the East Coast of Africa to prevent her.

I have, &c.
(Signed) W. C. CHAPMAN.

Inclosure 1 in No. 156.

Commander Chapman to Rear-Admiral Sir B. Walker.

Sir,

"Ariel," at Sea, April 11, 1864.

I HAVE the honour to report that on the 3rd instant, when in latitude 13° 45' south, longitude 46° 51' east, a sail was observed at 6 A.M., and proceeding in chase proved on boarding to be the Spanish ship "America," whose movements from their suspicious character have been watched for the last ten months by Her Majesty's cruisers on this coast.

The Senior Lieutenant was dispatched to board her, and after having received his report, on mature consideration, and from information I have gathered as to her movements, on the 5th instant I boarded her myself, and resolved to send her to Sierra Leone, there to be adjudicated before the Mixed Commission Court.

The reasons for my doing so are as follows:—

1. Two bulkheads or divisions, with several loose planks, and four tons of ebony, which would make another slave-deck, a quantity of staves, &c.
2. A main deck thoroughly adapted for the conveyance of slaves.
3. Some slave-stocks.
4. A larger quantity of water, both in casks and tanks, than requisite for the crew of the vessel.
5. An extraordinary number of water-casks, and no certificate produced from any Custom-house for the same, and no security that such vessels should only be used for other than lawful commerce.
6. A larger quantity of mess gear than requisite for the crew of the vessel.
7. Cooking-range much larger than requisite for the crew of the vessel.
8. A very large quantity of rice and rice in husk (upwards of 100 tons), and not entered on manifest as part cargo for trade, also 4,000 cocoa-nuts (both slave-food).

This vessel arrived at Mozambique in July 1863, and was immediately reported by the Governor-General at Mozambique to the Senior Officer of Her Majesty's ships on the East Coast of Africa as being about to engage in the Slave Trade. She left Mozambique and arrived at Zanzibar on the 4th October, having no ostensible object in view at this port. She had much difficulty in procuring an agent; the French Consul, who usually acts for Spain, objecting to have anything to do with her: eventually a German merchant named M. Renter and Mr. Him, an American merchant, supplied her with a very small portion of cargo (cloves), which was taken in as a blind, and which even the merchants (Europeans) at Zanzibar laughed at; she then left for Mozambique, having been under the surveillance of Her Majesty's cruisers the whole time.

At Mozambique she remained some time, and during the temporary absence of Her Majesty's ship "*Orestes*," who had been watching her some two months, and left her with sails unbent, she sailed, and was subsequently found at Nos Beh the latter end of last month by this ship.

I should here remark that by the log of the "*America*" she appears to have arrived on the 5th of March, 1864, whereas by the French official certificate of arrival she arrived on the 16th, thereby a discrepancy of ten days existing.

I heard at Nos Beh that the "*America*" was waiting for a brig which was to bring her rice: it was also reported that she was to proceed to a certain rendezvous where she was to meet a vessel with her cargo of slaves.

At Majunga it was also reported that in the vicinity of Villa ma Ca a great number of slaves were collected, several native dhows having brought cargoes from the coast of Africa, as I heard, for a large European ship which was expected.

Lieutenant Dunlop, in charge of a prize-crew, was placed on board, a copy of whose orders are inclosed, together with the Report called for by the station orders.

I have, &c.
(Signed) W. C. CHAPMAN.

Inclosure 2 in No. 156.

Lieutenant Buckle to Commander Chapman.

*"Ariel," at Sea, Lat. 13° 45' S., Long. 46° 55' E.,
April 3, 1864.*

Sir,

IN compliance with your orders I this day boarded the Spanish ship "*America*," and have to report as follows:—

She sailed from Nos Beh on 31st March, and is bound direct to Cadiz. She has on board a very small cargo for the size of the vessel, consisting of 1,800 bags of cloves, 123 tons of rice, some in husk, 4,000 cocoa nuts, and 4 tons of ebony. Under the cargo a considerable amount of ballast sand, shingles, and stones, admirably adapted for laying a lower slave-deck.

The ship's papers were incorrect as far as I could ascertain, viz., arrival at Nos Beh, the cargo not manifested, or any receipt from the Custom-house for the great quantity of water-casks.

The muster roll also appeared to be incorrect, some of the crew only discharged by a single D in pencil. There were also three large tanks measuring respectively, the two riding tanks, each 4 feet 2 inches deep, 6 feet 8 inches long, 7 feet 10 inches across top, 4 feet 10 inches across bottom; the lower tank measured 4 feet 5 inches deep, 7 feet 10 inches long, 15 feet 6 inches across top in fore part, being built to fit the after run of the ship; there were also 14 pipes, 10 full, and over 20 small water-casks, besides several jars, &c.

She has a regular main deck partially opened up amidships, with spare planks laying about, quite adapted for making a slave-deck to hold several hundreds.

I was unable to search her as thoroughly as I could have wished, or I imagine I should have found more to stamp her illegal calling.

I have, &c.
(Signed) CLAUDE E. BUCKLE.

Inclosure 3 in No. 156.

Memorandum for Cruisers.

"Orestes," at Johanna, August 15, 1863.

ON the 13th July there arrived at Mozambique a large Spanish ship said to be 602 tons and named the "*America*," Captain Antonio Biscuert, with a crew of twenty-one persons from Cadiz, Buenos Ayres, and Inhambane; off the latter place, in attempting to communicate, she lost a boat with four men on the bar. She has a cargo of wine, brandy, a steam-engine for cleaning rice, for which she brought a Scotch engineer, fire bricks, and about 100 tons of coal. The steam-engine, I believe, was fitted for condensing; it was landed and set up at Mozambique, but the engineer is recently dead, and the engine is now useless, even for condensing.

Information of the arrival of this vessel having reached me at Zanzibar on the 1st August from the Governor-General, I proceeded to Mozambique, dropping the boats at Ibo, and arrived at the former place on the 12th. I found the "*America*" anchored to the northward of Port Sebastian, close to the Portuguese gun-boat "*Maria Anna*," but in a good position for slipping out; her sails are unbent, she has two anchors down, ladder out, &c. She seems very large and is very high out of the water, with poop, and forecastle and cabins under the ladder, a high figure-head, stern perpendicular, a good deal of white about it, white poop rails, one if not two white quarter boats, main royal masts, fore and mizen stump, top-gallant masts, four jibs, very large breeze blocks or pendants.

She has been closely examined by the Portuguese authorities, everything about her at present is legal; but no one doubts for a minute that she came to carry slaves or to assist other vessels to do so. It is said that there are two more vessels belonging to the same owner (a Cadiz man) on the coast or shortly expected. The supercargo was lost in the boat at Inhambane, it is probable that he was the leading man in the undertaking; two or three of the crew are down with dysentery, and the vessel seems altogether too weakly manned for the business in which every other circumstance points to her being engaged.

This vessel is stated to have sailed from Cadiz in February for Buenos Ayres with a mill on board for grinding rice.

I was informed at Zanzibar, though I don't know how far it may be credited, that this same vessel has taken in cargoes of slaves for the last three years, at or near Ibo; shipping generally between 1st and 12th August, and taking in each time upwards of 1,000 slaves.

Dr. Kirk tells me there are two rivers, a day's journey north of Quilimane, navigable by launches, and having an interior communication during the wet season with that river; he thinks shipments would be more likely to be made there than at Quilimane itself. It is reported that five vessels have got away since last year with slaves, two from Inhambane, two from Ibo, and one perhaps from the neighbourhood of Quilimane.

I do not believe that large shipments of slaves are made under the Portuguese forts, that is, at Ibo, in the harbour of Mozambique or at the mouth of the Quilimane, but small numbers are constantly getting away from the neighbouring bays; only a few days ago a caravan of slaves driven by Ajawa people arrived at the head of the Bay of Mozambique opposite the Island.

Djounna, my interpreter, who has been a long time in our service, landed for information; and tells me that four dhows have left within the last few days for Mohilla, and that one was to leave on the 15th August for that island. They take in their slaves at the north end of Litagonha Island.

(Signed)

ALAN H. GARDNER,

Captain and Senior Officer.

The Officer Commanding any of Her Majesty's ships.

Inclosure 4 in No. 156.

Orders addressed to Lieutenant Dunlop.

Memo.

"Ariel," at Sea, April 5, 1854.

YOU will proceed on board the Spanish ship "*America*" (suspected of being about to engage in the Slave Trade), and bound direct to Cadiz; and instead of going to Cadiz, after you have rounded the Cape of Good Hope, you are to shape your course for Sierra Leone, and on your arrival there place the ship in the Mixed Commission Court as being suspected of being engaged in the Slave Trade.

You are not to navigate the ship, or in any way interfere with her working, as long as you are satisfied that the Spanish master is making the best of his way to round the Cape; but should the captain and crew refuse to navigate, you are to make the former, in writing, state so; the latter, if you find you cannot coerce, you are to place on short provisions and keep under surveillance. In doing this you are to be guided by Inclosure No. 1, and to bear in mind that the vessel and crew are innocent until they are condemned.

On arrival at Sierra Leone you will deliver the accompanying papers to the Admiralty Proctor; and after having delivered over the vessel you will place yourself under the orders of the Senior Officer of the North Division, informing him that the "*Ariel*" will call at Sierra Leone *en route* to England.

(Signed)

W. C. CHAPMAN, *Commander.*

To Lieutenant M. J. Dunlop,

In charge of Spanish ship "*America*."

Inclosure 5 in No. 156.

Return of Vessels detained as being engaged in the Slave Trade, and sent into Port for Adjudication.

Where.	Name of			Under what Colours.	How rigged.	No. of			Where				Date of Sailing from last Port.	Nature of Cargo.	To whom consigned.	If with Slaves on board.				Of the Prize Crew.				To what Port sent for adjudication.		Name of		Condition of the Slaves and Vessel, stating the Number of the Deck before Adjudication, and the Number Emancipated.	Circumstances which have induced the Captain to detain the Vessel, with general Remarks.	
	Vessel.	Master.	Owner, and of what Place.			Men.	Guns.	Tons.	From.	Bound.	Belonging.	Men.				Women.	Boys.	Girls.	Where shipped.	Name and Rank of the Officer in charge.	Commissioned Officers.	Petty Officers and Seamen.	Marines.							Boys.
1864 Apr. 5	America.	Antonio Bisquet	Senora Viuda del Portillo, Cadiz	Spanish	Ship.	20	2	602	Nos Beh.	Cadiz	Cadiz	1864 Mar. 31	Slave-fittings	Unknown	...	...	...	...	...	...	Mr. J. Dunlop, Lieutenant	...	2	9	2	2	Unknown	Messrs. Chard and Co.	...	1st. Two bullockheads or divisions, with several loose planks and four tons of ebony, which would make another slave-deck; a quantity of staves, &c. 2nd. A main-deck, thoroughly adapted for the conveyance of slaves. 3rd. Some slave stocks. 4th. A larger quantity of water, both in casks, and tanks, than requisite for the crew of the vessel. 5th. An extraordinary number of water-casks, and no certificate produced from any Custom-house for the same, and no entry, that such vessels should only be used for commerce. 6th. A larger quantity of mess gear than requisite for the crew of the vessel. 7th. Cooking-range much larger than requisite for the crew of the vessel. 8th. A very large quantity of rice in husk (upwards of 100 tons) and not entered on manifest as part cargo for trade; also 4,000 coconuts (both slave food). 9th. Her suspicious movements.

(Signed)

J. H. CHAPMAN, Commander.

No. 157.

Rear-Admiral Sir B. Walker to the Secretary to the Admiralty.

(Extract.)

"Narcissus," Simon's Bay, April 19, 1864.

I HAVE the honour to forward, for their Lordships' favourable consideration, the copy of a letter transmitted to me by Captain Alan Gardner, of the "*Orestes*," respecting the settlement of a claim made by the Portuguese authorities at Mozambique for the destruction of a small schooner by Lieutenant J. Houghton of that ship, on suspicion of being engaged in the Slave Trade.

2. On receiving Captain Gardner's Report of Lieutenant Houghton's proceedings in this matter (as contained in his letters of the 30th May and 9th July, 1863) annexed, I ordered a Court of Inquiry to be assembled to investigate that officer's conduct, directing reparation to be made to the Portuguese if it should appear that he had acted unjustifiably.

3. Lieutenant Houghton became aware that he had made a mistake, and in the meanwhile took steps to settle the matter privately by the payment of 90*l.*, which Captain Gardner allowed him to do.

4. From the favourable opinion expressed by Captain Gardner of Lieutenant Houghton's zeal and conduct as an officer, there appears to be no doubt that his action in this instance was an error in judgment, arising from inexperience of the peculiar precautions necessary to be observed in carrying out the stipulations of the Slave Trade Treaties.

Inclosure 1 in No. 157.

Captain Gardner to Rear-Admiral Sir B. Walker.

Sir,

"Orestes," at Sea, Lat. 13° N., Long. 43 E., May 30, 1863.

I INCLOSE herewith a copy of a letter from Mr. John Houghton, Second Lieutenant of this ship, reporting the destruction of a vessel by fire, in Fernan Veloso Bay, on the 28th instant.

I much regret to inform you that this act of Lieutenant Houghton's is unjustifiable, and I fear will lead to very grave accusations against us on the part of the Portuguese Government.

Upon questioning Lieutenant Houghton it appears the vessel he has destroyed in a port belonging to the Portuguese was about 50 feet long, partly decked, with three masts and with gaff-sails. I doubt very much whether the piece of iron found on board was a slave-iron. The vessel had only two casks of water, and some eight bags of rice in her. She had been recently run on shore. No efforts seem to have been made to get her afloat, in order to bring her to me at Pomba Bay, fifty miles to leeward, where I was to meet the boats.

Lieutenant Houghton was provided with the fullest general instructions, which have been most carefully drawn out; and in my sailing orders to him he was instructed to be very careful in dealing with vessels under the Portuguese flag. Should he make a capture to bring her to me at the rendezvous; and I tell him that in no case will it be advisable to destroy a vessel under Portuguese colours.

It is evident to me that the vessel so destroyed was a small coasting-vessel, probably, from her rig, belonging to the Portuguese; but, possibly, of Banian owners.

After receiving this report from Lieutenant Houghton, I told him my opinion of his act. I hope the opinion I have expressed will prevent a similar occurrence.

Inclosure 2 in No. 157.

Captain Gardner to Rear-Admiral Sir B. Walker.

Sir,

"Orestes," at Lamataoe, July 9, 1863.

I REPORTED to you, in a letter dated the 30th May, the burning of a schooner by Lieutenant Houghton, on the 28th of the same month, in Fernan Veloso Bay, in the Portuguese dominions.

I now inclose a copy of a letter from Lieutenant Houghton, containing a more detailed account of the transaction, and I regret to be still of opinion that the evidence against this vessel was not sufficient to send her into Court for adjudication, much less for destroying her—an act in which Lieutenant Houghton was in no way justified by my instructions.

I have, &c.

(Signed) A. H. GARDNER.

Inclosure 3 in No. 157.

*Lieutenant Houghton to Captain Gardner.**"Orestes," June 25, 1863.*

Sir, I BEG to forward to you a Report of my proceedings on the morning of the 29th May last, when in charge of the launch and cutter in Fernan Veloso Bay.

Shortly after daylight, observing three vessels on the beach on the opposite side of the Bay, I proceeded to

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examine them. On nearing them my suspicion was raised by seeing two of the vessels only hoist colours. On examination I found them to be open boats, cutter-rigged, with nothing on board. On searching the larger one—a three-masted schooner—I found her deserted, without colours, and what I considered proofs of being engaged in the Slave Trade, viz., a slave-iron, about a dozen bags of rice, two large casks of water, which I considered more than sufficient for her crew, and matting laid along the bottom for the reception of slaves; also, two large iron vessels for boiling rice; this vessel had her sails bent, gaffs lowered, and a small poop abaft, for the accommodation of three or four people. I observed there was no flag flying on shore, and no signs of there being any Portuguese authorities. The vessel was high and dry on the beach, and considering it impossible to get her off with the means at my command, I destroyed her by fire, having previously taken her measurements.

I am of opinion that this vessel was waiting for the embarkation of slaves, probably for the Islands of Comoro or Mayotta.

I am sorry to report the loss of the slave-iron, which was put in the launch, but lost overboard a few days afterwards.

I beg to inclose the following measurements:—length from stem to stern, inside each, 54 feet; extreme breadth, 16 feet 6 inches; girt inside, from level of deck on one side, to opposite side on the same level, 30 feet.

I have, &c.

(Signed) JOHN HOUGHTON.

Inclosure 4 in No. 157.

Captain Gardner to Rear-Admiral Sir B. Walker.

Sir,

"Orestes," Mozambique, January 28, 1864.

WITH reference to your orders of the 20th of November, 1863, directing me to cause a Court of Inquiry to assemble for the purpose of investigating the conduct of Lieutenant Houghton in burning a vessel in Fernan Veloso Bay on the 28th of May, 1863;

I beg to inform you that before the vessels were assembled, officers of which were to form the Court, the cause of complaint had been removed by Lieutenant Houghton paying the owner of the vessel destroyed the sum claimed by him in compensation, by his expressing to the Governor-General of Mozambique his sorrow for the mistake he had made, and by his addressing me a letter, in which he acknowledges his error on the points on which it was my intention to direct the Court to inquire into.

I therefore consider that the assembling of the Court will be no longer necessary.

I inclose Lieutenant Houghton's letter to me admitting his error; a copy of the receipt by the owners of the vessel for the indemnity; and a letter from the Governor-General of Mozambique showing that he is fully satisfied.

I am happy to think that this affair is brought to a close without its going into a court of law at the Cape, which would probably have very much increased the damages, and given a great deal of trouble.

Lieutenant Houghton having admitted his error, and done everything in his power to repair the effects of it, I think I may be justified in pleading in his favour his inexperience, this having been the first occasion of his being detached on boat service. He is a hard-working, zealous, and well-conducted officer.

I have, &c.

(Signed) A. H. GARDNER.

Inclosure 5 in No. 157.

Lieutenant Houghton to Captain Gardner.

Sir,

"Orestes," Mozambique, January 27, 1864.

WITH reference to the burning by me of a small fore-and-aft schooner in Fernan Veloso Bay on the 28th of May, 1863, I confess to an error of judgment in considering that this vessel showed undoubted evidence of being engaged in the Slave Trade, and that the instructions from you under which I was acting did not justify me in any way in destroying the vessel.

Upon hearing that a complaint had been made to the Portuguese authorities at Mozambique by the owner, I made arrangements for satisfying his claims, which, with the kind assistance of Senhor Soares, I have this day done, and have obtained a receipt in full for the value, amounting to the sum of 90*l.* sterling. I have waited on the Governor-General, and expressed to him my sorrow for the mistake I made, and have received his assurance of his being perfectly satisfied, and he has promised me to address a letter to Admiral Sir B. Walker to that effect, and also to his own Government.

I have, &c.

(Signed) JOHN HOUGHTON.

Inclosure 6 in No. 157.

Declaration of Amad Gulamo.

I, AMAD GULAMO, do hereby declare that I give up all claim on account of the schooner "Estrella do Mar," called "o batel Portuguez 'Flor do Mar,'" in his representation made by his Excellency the Governor-General of Mozambique to his Excellency Sir B. Walker, Commander-in-chief on the Cape Station, having received from Lieutenant Houghton, R. N., Her Majesty's ship "Orestes," the sum of 90*l.* sterling, as compensation for the destruction of the said schooner.

Given under my hand in Mozambique this 26th of January, 1864.

(Signature of Amad Gulamo.)

Witnesses:

(Signatures of Cheque Amuza and J. C. Soares.)

Inclosure 7 in No. 157.

The Governor-General of the Province of Mozambique to Captain Gardner.

(Rough Translation.)

January 27, 1864.

TO satisfy your request to know whether, after the proceedings of Lieutenant J. Houghton, of the corvette "Orestes," under your command, with the reparation of the injury done to the Portuguese subject, Amadi Gulamo, by burning the batel "Estrella do Mar" in the port of Fernan Veloso, and with the satisfaction personally afforded to me by the said Lieutenant, it is my duty to assure you that on the first occasion that may offer, I will communicate not only to the Admiral of Her Britannic Majesty at the Cape of Good Hope all the proceedings that have taken place in the matter, requesting he will put a stop to any proceedings against the said officer in consideration of such full satisfaction, but also to the Government of His Most Faithful Majesty.

And notwithstanding that I cannot secure the result that may follow my communication, I shall be happy if it (the Portuguese Government) is equally satisfied.

(Here follow compliments, &c.)

No. 158.

Vice-Admiral Smart to the Secretary to the Admiralty.

(Extract.)

"Marlborough," at Malta, August 22, 1864.

I HAVE the honour to transmit herewith an extract of a letter dated 8th instant, from Captain Erasmus Ommanney, Senior Officer at Gibraltar, respecting the Slave Trade at Cadiz.

2. I also inclose, for their Lordships' information, a copy of a telegram from Her Majesty's Vice-Consul at Benghazi, respecting the departure of a supposed slave-ship from that port for Alexandria.

3. Captain Ommanney has been informed that the Consul at Cadiz should represent the case to Her Majesty's Minister at Madrid.

4. I have also informed the Vice-Consul at Benghazi and the Consul-General at Alexandria that the case should, if substantiated, be brought to the notice of Her Majesty's Ambassador at the Porte with a view to the Home Government taking such steps in the matter as they deem best.

Inclosure 1 in No. 158.

Captain Ommanney to Vice-Admiral Smart.

(Extract.)

"Procris, Gibraltar, August 8, 1864.

I HAVE the honour to acquaint you that the British Consul at Cadiz, a Graham Dunlop, Esq., has made a communication to me that he finds the Slave Trade continues to flourish at Cadiz and the neighbourhood, on which grounds he ventures to suggest that Cadiz should be visited more frequently by British vessels of war.

Inclosure 2 in No. 158.

Consul Dennis to Vice-Admiral Smart.

(Telegraphic.)

Benghazi, August 11, 1864, 7.42 A.M.

OTTOMAN brig "Mabrook Ali Mustafa," now leaving for Alexandria. Black hull, cargo matting. Suspect slaves secreted.

No. 159.

Rear-Admiral King to the Secretary to the Admiralty.

(Extract.)

Tricomalee, October 12, 1864.

BY the latest intelligence received from the East Coast of Africa the "Orestes" resumed the duties of Senior Officer, having left Simon's Bay on the 28th July, and arrived at Mozambique on the 12th August, since which date she has been cruising between Mozambique and Zanzibar, and was at anchor at the latter place on the 3rd September. Captain Gardner proposed going to sea again as soon as possible, to cruise to the north for the suppression of Slave Trade, visiting the Seychelles, and then working down the coast, returning to Zanzibar about the close of the year.

Her Majesty's ship "Wasp" arrived at Zanzibar on the 23rd August, and sailed again on the 1st September for the northward, to cruize between Cape Guardafui and Socotra.

The "Rapid" was off Johanna on the 27th August.

The "Pantaloön" returned to Aden from a visit to Massowah on the 5th September.

Commander Purvis reports that during the time he was at Massowah he ascertained that there was a considerable Slave-Trade being carried on between that port and Jeddah; the dhows sailing under the Turkish flag, and that no less than 300 were embarked the day previous to the "Pantaloön's" arrival.

Commander Purvis being now furnished with slave-papers, will have it in his power to act in the suppression of this illicit Traffic.

No. 160.

Captain Gardner to Rear-Admiral Sir B. Walker.

"Orestes," at anchor, Lat. 3° 1' N., Long. 46° 44' E.,
September, 1864.

Sir,

I HAVE the honour to inform you that on the 14th instant, when standing in for the land about ninety miles north-east of Magadoxas, soon after daylight, a dhow was reported from the mast-head, to windward, and running down for the ship. At 7-30 she was observed to haul in for the land. Steam was got up as soon as possible in chase, but although we got within gun-shot we were not able to prevent her running on the beach. The ship herself having run into shallow water, was anchored at 2,800 yards outside the dhow. A large number of negroes, many of them women and children, were observed to reach the shore. I lost no time in sending in the boats, under Lieutenants Lang and Blake, for the purpose of measuring and destroying the dhow, but observing that the surf was running so high that this service could not be performed without endangering one of the boats and the lives of the crew, I recalled the boats, and opened fire on the dhow until she was completely destroyed.

I inclose the report of Lieutenants Lang and Blake.

I have, &c.

(Signed) ALAN W. GARDNER.

Inclosure in No. 160.

Acting Lieutenant Blake to Captain Gardner.

"Orestes," at anchor off the Somali Coast, Lat. 3° 0' N., Long. 46° 39' E.,
September 14, 1864.

Sir,

IN pursuance of your orders we left the ship in charge of both cutters to measure and destroy a Baddeen dhow that had run on shore to avoid capture by the ship. On arriving at about 200 yards from the shore we observed about 130 black men, women and children, landing from the dhow. The heavy sea that was running and breaking over the dhow would have rendered the destruction of the boats certain, had they attempted to board her, we therefore brought our boats to an anchor outside the surf, and remained until recalled by the ship.

This dhow appeared to be of unusually large size, larger than the biggest of those burnt by the boats of this ship in Pemba last year, the tonnage of which was found by calculation to be 84 tons. We are of opinion this dhow was at least 60 feet in length and of 90 tons burthen.

We have, &c.

(Signed) CHAS. A. BLAKE.

NORTH AMERICA AND WEST INDIA STATION.

No. 161.

Commander Watson to the Secretary to the Admiralty.

Extract.)

"Petrel," December 4, 1863.

I HAVE been informed by the Consular Agent at Truxillo that the present Government is favourable to the Slave Trade, and in all probability similar cases to that reported by Captain Wilson, of Her Majesty's ship "Spiteful," last year, will occur as frequently as opportunities may offer, and every facility rendered by the existing Government.

No. 162.

Vice-Admiral Sir A. Milne to the Secretary to the Admiralty.

Extract.)

"Nile," at Jamaica, January 20, 1864.

I INCLOSE, for their Lordships' information, a copy of a letter which I have just received on the part of an anti-slavery meeting held at Kingston on the 23rd ultimo, together with a copy of the reply I thought it due to myself to make, in reference to the second of the resolutions which were agreed to at that meeting.

Inclosure 1 in No. 162.

Messrs. Solomon, Ana, &c., to Vice-Admiral Sir A. Milne.

May it please your Excellency,

Kingston, Jamaica, January 20, 1864.

WE have the honour of inclosing to your Excellency a copy of certain resolutions adopted at a public meeting of the inhabitants of this city, held on Wednesday, December 23, 1863, for the purpose of petitioning Her Majesty the Queen and the Houses of Parliament on the subject of the suppression of the Slave Trade in Cuba, and we feel assured, from your Excellency's philanthropy, and from the deep interest your Excellency has ever evinced in this vital matter, that the object of the meeting will have the advantage of your Excellency's powerful advocacy and influence on your Excellency's return to the mother country.

We deeply regret that the shortness of your Excellency's stay at Port Royal will not permit of our waiting on your Excellency personally, as we contemplated doing, but we beg that your Excellency will receive the assurance of our respect and distinguished consideration.

We have, &c.

Committee appointed at the Public Meeting, December 23, 1864,

(Signed)

G. SOLOMON.

ALEX. ANA, J.P.

ROBT. A. JOHNSON, J.P.

B. F. FRANKLYN.

KEELEY SMITH.

E. O. LEWES.

P.S.—His Lordship the Bishop of Kingston, who presided at the public meeting, and is chairman of the Committee, is, we find, still absent on the north side, and hence we are unable to procure his signature, a circumstance much to be regretted, but out of our power to control.

For the Committee,
(Signed) ALEX. ANA, J.P.

Inclosure 2 in No. 162.

Resolutions agreed to at a Public Meeting held in the City of Kingston, on Tuesday December 22, 1863, to consider and prepare a Memorial to Her Majesty to adopt immediate steps for the fulfilment of the Slave Trade Treaties.

Moved by the Honourable Baron Ketelhodt, seconded by the Rev. J. Edmondson, and unanimously carried:—

"That it is a well-known fact, based upon reliable statistics officially collected, that the importation of African

slaves into Cuba continues on a large scale, despite the Treaties between Great Britain and Spain, binding the latter Power to the suppression of that inhuman and abominable Traffic; and this meeting believes that the Island of Cuba is the only portion of the West Indies into which slaves are still introduced."

Moved by B. A. Franklin, Esq., seconded by the Rev. F. Jones, and unanimously carried:—

"That this meeting observes with deep regret that while the British squadron on the North American and West Indian stations consists of twenty-six vessels carrying 324 guns, there is but one solitary gun-boat of this large force stationed off the Coast of Cuba, a coast of 700 miles long, and containing many harbours favourable to the carrying on of the illicit Traffic in Slaves."

Moved by Alexander Ana, Esq., seconded by the Honourable George Solomon, and unanimously carried:—

"That as past experience proves the great advantage of employing fast gun-boats off the Coast of Cuba to intercept the slaves, and as the substantial difficulties which formerly arose out of the question of the right of search, owing to the new Treaty between the United States and Great Britain for the suppression of the Slave Trade, this meeting feels that it is the bounden duty of the present Government again to resort in good earnest to this the most effectual mode of destroying the trade; and this meeting would express its surprise and regret that advantage has not been taken by the Government of the Treaty in question to prosecute operations against the Slave Trade with greater vigour."

Moved by his Lordship the Bishop of Kingston, seconded by the Rev. John Radcliffe, and unanimously carried:—

"That the sufferings which for nearly two years have been experienced by the numerous population employed in the cotton manufacture in England call loudly on the Government of Great Britain to consider and revise the present policy with respect to the produce of slave labour, and to discourage and eventually prevent altogether the importation of such produce into Great Britain by the imposition of differential duties; and that the increasing consumption of sugar, and the recent rise in its value, which is likely to continue for some time to come, cannot fail to give a renewed impetus to the Slave Trade, thereby lamentably active, and should therefore stimulate the British Government to increased vigilance and greater efforts for its suppression."

Moved by the Honourable Baron Ketelhodt, seconded by A. A. Johnson, Esq., and unanimously carried:—

"That this meeting is of opinion that the attention of Her Majesty's Government should be drawn to the favourable opportunity that the Congress proposed to be held at Paris would afford to Her Majesty's Government, in conjunction with the Emperor of the French, and the other Powers who have been parties to the Congress of Vienna, to require from Spain effectual guarantees for efficient measures tending to the immediate and final suppression of the Slave Trade to Cuba."

Moved by P. W. Hauril, Esq., seconded by A. P. E. Stephan, Esq., and unanimously carried:—

"That Memorials to Her Majesty the Queen and to the two Houses of Parliament, embodying the substance of the foregoing resolutions, and praying Her Majesty's gracious consideration and the earnest attention of Parliament be prepared for signature; that they be forwarded through his Excellency the Lieutenant-Governor, and that his Excellency be respectfully invited to co-operate with this meeting in the present movement."

Moved by M. de Codera, Esq., seconded by E. E. Lewis, Esq., and unanimously agreed to:—

"That a copy of these Resolutions be presented to the Admiral commanding on this station, Sir A. Milne, K.C.B., on his expected visit to Jamaica, and that in the event of his not coming hither such copy be forwarded to him, and his co-operation solicited."

Inclosure 3 in No. 162.

Vice-Admiral Sir A. Milne to Messrs. Solomon, Ana, &c.

Gentlemen,

"Nile," at Jamaica, January 20, 1864.

IN acknowledging the receipt of your communication of this date, on the part of an anti-slavery meeting which was held at Kingston on the 23rd ultimo, inclosing, for my information, a copy of certain Resolutions agreed to on that occasion, I think it right to observe that the second Resolution appears to me somewhat improperly to imply, on the part of non-professional gentlemen who have no official concern in the matter, a censure upon the distribution and employment of Her Majesty's ships under my command, and consequently, I presume, neglect on my part of the duties imposed on me as the Naval Commander-in-chief of this station, and for which I am alone responsible to Her Majesty's Government.

I am, &c.
(Signed) ALEX. MILNE.

No. 163.

Vice-Admiral Sir A. Milne to the Secretary to the Admiralty.

Sir,

"Nile," at Barbados, December 21, 1863.

I REGRET to have to report to their Lordships that from a report that has reached me from Commander Harvey of Her Majesty's ship "Steady," I fear there is too much reason to believe that her whaler, which with her cutter had been detached from the ship in anticipation of the arrival of a slaver near the Isle of Pines, had been capsized, and that the crew, viz., Thomas Edmunds, captain fore-castle, James Wust, ordinary seaman, Wm. Synden, A.B., James Griffiths, ordinary seaman, had been drowned, as, though the ship had been searching for them for thirteen days, no traces of them could be discovered.

2. The employment of small boats on this service is quite opposed to what I consider to be judicious in the West Indies, however practicable it may prove to be on the West Coast of Africa, and I purpose issuing an order peremptorily forbidding it.

3. As there are other questions to be inquired into besides the unfortunate loss of these men, in connection with the "Steady's" proceedings on the coast of Cuba, I shall defer forwarding the full particulars until I have seen Commander Harvey, whom I shall probably meet at Port Royal on my arrival there.

I have, &c.
(Signed) ALEX. MILNE.

No. 164.

Vice-Admiral Sir A. Milne to the Secretary to the Admiralty.

Sir, "Nile," at Jamaica, January 13, 1864.
REFERRING to my letter of the 21st ultimo, relative to the loss of the "Steady's" whale-boat and crew of four men, I have now the honour to inclose, for their Lordships' information, a copy of Commander Harvey's report of the unfortunate occurrence, together with the result of an inquiry I caused to be instituted into the circumstance, as well as a copy of a Memorandum I thought it necessary to address to Commander Harvey on the subject.

2. Further I beg to inclose a copy of the standing order I issued on the 22nd ultimo, prohibiting the employment of boats in cruising for slaves in the West Indies, and which I have already apprized their Lordships of my intention to issue, in consequence of the frequency of bad weather and very strong tides not admitting of boats being so employed with safety.

I have, &c.
(Signed) ALEX. MILNE.

Inclosure in No. 164.

Standing Order No. 35.

"Nile," at Barbados, December 22, 1863.
CAPTAINS of Her Majesty's ships employed in the suppression of the Slave Trade are on no account whatever to detach the boats from their ships for the purpose of cruising for slave-vessels, nor, when it can be possibly avoided, are boats ever to be absent from the ship during the night.

I have further to direct that no islands or cays are to be searched for slave-equipments unless they are *bonâ fide* within Her Majesty's territorial jurisdiction, as Her Majesty's officers are not empowered to exercise any such authority upon foreign territory.

(Signed) ALEX. MILNE, *Vice-Admiral and Commander-in-chief.*
The Commodore and respective Captains and Commanders,
&c. &c. &c.

No. 165.

Vice-Admiral Sir A. Milne to the Secretary to the Admiralty.

Sir, "Nile," at Sea, Lat. 39° 58' N., Long. 42° 36' W.,
March 26, 1864.

I HAVE the honour to acquaint their Lordships that since my letter of the 18th September, 1862, stating that I had ordered the smaller class of vessels under my command to resume the cruising for the suppression of the Slave Trade on the coast of Cuba, these vessels have been very generally employed on this duty unless when I have found it necessary to recall them for special service on the coast of America, or to give their crews some change by sending them to the northern part of the station; but since I have held this command no slave-vessel has been captured, nor has a single slave-vessel been seen either by the special cruisers or by the many vessels which have been so constantly making passages on the coast of Cuba, Florida, and the Bahamas. I attribute this to the vast reduction in the importation of slaves into Cuba, and consequently a few vessels now engaged in this nefarious Traffic.

2. When serving in former years and employed cruising for months on the coast of Cuba and watching the slave ports, I never was successful in meeting with a slave-vessel, but when otherwise employed and making passages between various ports of the West Indian Islands I succeeded in detaining four vessels with upwards of 900 slaves; and it is by no means a solitary instance of ships making passages being more successful in the suppression of the Slave Trade than the ships specially employed on this service. The yearly importation of slaves into Cuba at that period (1837 and 1838) was understood to be about 30,000; now, I am informed, it does not reach 6,000.

3. I am aware of one vessel having been wrecked near the Cay Lobos, from

which island the slaves were transferred in small schooners into Cuba. Another vessel was captured in the harbour of Mariel, and another by the Spanish authorities of Trinidad de Cuba after the slaves were landed, and subsequently boarded by Her Majesty's ship "Landrail."

4. The Anguilla Cays have, I suspect, been used for the purpose of landing slaves, being from thence transferred to Cuba, but often as these cays have been visited by the cruising ships no slaves have ever been found.

5. I have reason to believe that the slave-vessels have taken advantage of the light-houses lately erected in the Old Bahama Channel and proceed towards the Havana by that route, and that, having reached the long line of cays on the north shore of Cuba, they prosecute their voyage by any in-shore passage between these cays and the main island, thus entirely avoiding any cruising ships.

I cannot attribute the non-success in making captures to inattention or want of zeal on the part of the officers in command of Her Majesty's ships, as they have invariably displayed unwearied attention in the discharge of their duties, and the zealous manner in which they have performed this special service has, as your Lordships are aware, called forth strong remonstrance on the part of the Government of Spain.

I have, &c.
(Signed) ALEX. MILNE.

No. 166.

Vice-Admiral Sir J. Hope to the Secretary to the Admiralty.

Sir,

"Duncan," at Bermuda, June 10, 1864.

YOU will be pleased to acquaint the Lords Commissioners of the Admiralty, in reply to their letter of the 2nd ultimo, that five of the smaller vessels of the squadron are now employed exclusively in cruising for the suppression of the Slave Trade, and that those which are stationed on the north coast of Cuba have received directions to communicate with the Consul-General at the Havana.

2. The vessel stationed at Nassau has also been directed to search the cays on the Bahama Banks both for barracoons and information.

3. My late visit to the Havana arose from my desire to become personally acquainted with the Captain-General, and to communicate fully with the Consul-General on the subject of the Slave Trade, and, should the exigencies of the service permit, it is my intention to proceed there annually for the same purpose.

4. In conclusion, their Lordships may rest assured that no effort shall be wanting on my part to give effect to their views on this subject.

I have, &c.
(Signed) J. HOPE.

No. 167.

Vice-Admiral Sir A. Milne to Admiral Sir J. Hope.

(Extract.)

March 15, 1864.

SINCE April 1862, cruising for the suppression of the Slave Trade off this coast has been resumed, but without success, although four or five vessels have been constantly employed on this service.

I attribute their ill success mainly to the fact that, owing to a variety of causes, the Slave Trade is not flourishing, as is proved by the fact that during the year ending September last 5,000 only are known to have been landed on the whole island. Some other of the causes are the entire stoppage of slaving enterprises in New York and Boston, where they were heretofore chiefly organized, owing to the United States having shown their determination to put it down by hanging Captain Gordon, who had been engaged in the Traffic, to the Treaty between Great Britain and the United States of the 7th April, 1862, and to the civil war giving other employment to the several classes of men who would otherwise have been employed in it. Further, the recent price of sugar may have crippled the resources of the planters, who have not recovered the mercantile shock of 1857.

Class B.

CORRESPONDENCE

WITH

BRITISH MINISTERS AND AGENTS

IN

FOREIGN COUNTRIES,

AND WITH

FOREIGN MINISTERS IN ENGLAND,

RELATING TO

THE SLAVE TRADE.

From January 1 to December 31, 1864.

Presented to both Houses of Parliament by Command of Her Majesty.
1865.

LONDON:
PRINTED BY HARRISON AND SONS.

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CORRESPONDENCE

WITH

FOREIGN POWERS.

AFRICA. (*Consular*)—*Bight of Benin.*

No. 1.

Consul Freeman to Earl Russell.—(Received February 11.)

(Extract.)

Lagos, January 8, 1864.

TWO vessels have got away, with 1,022 and 650 slaves respectively, during the last six months. One, a steamer under French colours, took her cargo of 1,022 slaves from Godomey in the month of November; and the other, a Portuguese brig, cleared from Aghwey with 650 slaves.

I have further to inform your Lordship that I have received information from Benin that, about four months ago, a brig was seen to enter the Forcados River. The entrance is tortuous and difficult, but the pilot seemed to know it well. The following day the brig came out and left the coast under full sail. No doubt was entertained by the merchants at Benin that she was a slaver, and they expect that many of the slaves were sent to the Forcados for shipment from the Benin River.

No. 2.

Consul Freeman to Earl Russell.—(Received February 11.)

(Extract.)

Lagos, January 8, 1864.

I HAVE the honour to report to your Lordship that, by the last mail, Captain White, one of the Benin traders, passed Lagos on his way to England, and came on shore on purpose to give me some information respecting the state of affairs in the Benin River.

The merchants there seem anxiously waiting for Her Majesty's Government to adopt some further measures to bring the Chiefs of the river to reason. As I warned Her Majesty's Government eight months ago, not a puncheon of oil of the fine then fixed by me has been paid, owing to no man-of-war having since visited the river to show that we were in earnest.

I would urgently press upon your Lordship to allow me to proceed to the Benin and demand a heavy fine for the non-fulfilment of the former Treaty, and inform the Chiefs that if the fine was not paid up in the course of three months, the river would be blockaded until all our claims were satisfied.

This is the only policy that can restore our influence in the Benin, and convince the people that Her Majesty's Government will not be patient for ever, and that when they have the will they possess the power of bringing them at once into subjection.

The fact that the Slave Trade seems breaking out again in the Forcados River, as reported in my despatch of the 8th of January, may be perhaps a further inducement to Her Majesty's Government to blockade that river and the Benin.

No. 3.

Earl Russell to Consul Freeman.

Sir,

Foreign Office, February 22, 1864.

WITH reference to your despatch of the 8th ultimo, reporting that the Chiefs of the Benin River have failed to fulfil the terms of the engagement which they entered into with you in the month of April last for the settlement of Mr. Henry's claims, I have to acquaint you that I have requested the Lords Commissioners of the Admiralty to place this matter in the hands of the officer in command of Her Majesty's naval forces on the African Station, with the view to his taking such steps as may be necessary for procuring compensation for Mr. Henry's losses, and for the protection of British interests in the Benin River.

I have accordingly to desire that you will give Commodore Wilmot, or the officer who may be employed on this service, the benefit of any information or assistance which you may be able to afford.

I am, &c.
(Signed) RUSSELL.

No. 4.

Earl Russell to Consul Freeman.

Sir,

Foreign Office, June 23, 1864.

I HAVE to acquaint you that it has been determined to send Her Majesty's ship "Investigator" up the Niger to communicate with and to bring back Dr. Baikie, who requested last year that arrangements might be made for relieving him in the course of the present season.

It will be expedient, however, that some person should be left in charge of Dr. Baikie's establishment until next year, when some decision will have been come to in regard to arrangements which are still under the consideration of Her Majesty's Government for carrying out the navigation of the Niger.

I am aware that Dr. Baikie has with him an officer of the navy, Lieutenant Bedford, who volunteered to remain when the "Investigator" ascended the River last year, but it is possible that that officer may wish to return to the coast; and I have accordingly to desire that you will endeavour to find some fit and proper person who will not object to take Dr. Baikie's place during his absence.

If Lieutenant Bedford should wish to remain in charge of the establishment at Lukoja, and Dr. Baikie should concur in his doing so, he probably would be the most fit person for the service, but it will be necessary to be prepared with a person to take his place in the event of Lieutenant Bedford's wishing to return to his duties on the coast.

The "Investigator" will proceed on her expedition on the arrival of the packet which will leave England with the African mails on the 23rd of July next, by which opportunity I have directed goods to be sent out for the use of the expedition.

I am, &c.
(Signed) RUSSELL.

No. 5.

Consul Freeman to Earl Russell.—(Received July 11.)

(Extract.)

Government House, Lagos, June 9, 1864.

I HAVE the honour to inform your Lordship that the traders in the Benin River addressed me in a letter, of which the inclosure No. 1 is a copy, requesting that some measures might be taken to enforce the carrying out of the Convention made between me and the chiefs last year.

Your Lordship having informed me that Commodore Wilmot had been instructed to proceed to the Benin to try and settle the question, I took no further steps in it myself.

Commodore Wilmot has, however, neither visited the Benin himself, nor sent any ships there, and the natives, emboldened by no further notice having been taken of the attack on Mr. Henry's factory since my visit to Benin in April, 1863, have now committed another outrage of a serious character, inasmuch as they have beaten, wounded and carried off into confinement an Englishman, whom they only released on his paying the value of three puncheons of palm oil, and this apparently without any provocation.

I inclose a copy of a letter on the subject, which I have received from the traders of Benin. It was brought up to me by Mr. James, the chief agent at the Benin, of the firm of Messrs. Harrison & Co., of which also the injured man was a sub-agent. I also annex my reply to the above.

I would again venture strongly to urge upon your Lordship the necessity of adopting the measures suggested in my despatch of the 10th April, 1863. For many years the affairs of the Benin have been in a disturbed state, and from time to time some serious complaints from the traders have caused a man-of-war to be sent to the river, investigations instituted and threats made, but the affairs were soon forgotten. On one occasion an attempt was made to seize a Chief by the name of Smart, which failed, and the boats employed lost many of their men in killed and wounded. The natives have thus ceased to fear visits of Her Majesty's ships, as they feel certain that if they can only get them to leave, by promising satisfaction, nothing more will be heard of the question.

No armed force can be made use of, except at a sacrifice of life fearfully disproportioned to the results it would obtain. Nothing therefore remains but, as I formerly recommended, to inflict a very heavy fine on the Chiefs, and blockade the river until it be paid. This will be the easiest, cheapest, and most effectual way of bringing the people of Benin to reason. It will be felt by all, from the highest to the lowest; from the King of Benin down to the meanest slave, and when once it is found that Her Majesty's Government are in earnest, the fine will soon be paid up.

There is another consideration which may have some weight in inducing Her Majesty's Government to put an end to the present disturbed state of the Benin affairs. I refer to the Slave Trade. At the present moment when the slave-dealers are pressed very hard by Her Majesty's cruizers on the coast of Dahomey, shipments may be made at Benin. The natives, who are outnumbered by and are afraid of their slaves, would be overjoyed at an opportunity of selling them. The legitimate trade at present prevents the Slave Trade reviving, but if a breach is effected with the British traders, they may, though for a time only, again take to their old commerce in human beings.

Inclosure 1 in No. 5.

Messrs. Forshaw, James, and Clarke to Governor Freeman.

Sir,

Benin River, March 28, 1864.

TWELVE months having now nearly elapsed since your visit here, and as only two puncheons oil have been paid towards the whole of the fines imposed, we feel obliged to call your attention to the matter, and respectfully ask you to take some further steps to enforce payment.

We remain, &c.

(Signed)

THOS. S. FORSHAW.

JAMES McMAHON JAMES.

HUGH C. CLARKE.

Inclosure 2 in No. 5.

Messrs James, Forshaw, and Clarke, to Governor Freeman.

Sir,

Benin River, May 25, 1864.

WE, the undersigned traders in Benin River, most respectfully beg to call your attention to a gross and violent outrage which was committed by a Native Chief named Adjoké, living at Warree. He landed on Messrs. T. Harrison and Co.'s beach at Warree, with a number of armed men on the morning of the 16th, in consequence of some slight quarrel which had occurred between Mr. Hineson (Messrs. Harrison and Co.'s representative), and a slave of this said Adjoké. Mr. Hineson was carried off to Adjoké's town, wounded slightly in the back with a sword, his clothes torn off his back, and flogged severely.

Mr. Hineson had to purchase his liberty by paying 3 puncheons. He is now suffering severely from the ill-treatment he received and the shock his system has sustained.

An Accra cooper who attempted to defend Mr. Hineson was also ill-treated, receiving a severe scalp wound, and had his left arm broken. The beach was in entire possession of this Chief and his people, the Kroo-boys taking to the Bush.

We now request you to take such immediate steps as are at your disposal, to enforce some adequate punishment on this same Adjoké, as will show the natives such things cannot be done with impunity, regretting very much that more stringent measures have not been adopted in Equeboa's case. Our lives and the property in the river are now not safe until the natives here have received some severe check, though we do not apprehend any violence.

Hoping to hear that you are able to take immediate notice of this murderous and violent outrage,

We remain, &c.
(Signed) J. McMAHON JAMES.
THOS. S. FORSHAW.
HUGH C. CLARKE.

Inclosure 3 in No. 5.

Governor Freeman to Messrs. James, Forshaw, and Clarke.

Gentlemen,

Government House, Lagos, June 2, 1864.

I BEG to acknowledge the receipt of your letter of the 25th of May, reporting the assault on Messrs. Harrison and Co.'s beach at Wari, and the ill-treatment of Mr. Hineson, their agent, by the Chief Ajoké.

The outrage is one which cannot certainly be left unnoticed, but I regret that it is quite out of my power to take any steps in the matter at present, as Her Majesty's ship "Investigator" has been taken away from Lagos for service on the Slave Squadron. I shall, however, report the affair to Her Majesty's Government by the mail leaving this on the 10th instant; and on the arrival of the Commodore, who is expected here shortly, I will urge that officer to carry out the instructions he has already received, to terminate the Benin difficulty.

I have, &c.
(Signed) HY. STANHOPE FREEMAN.

No. 6.

Earl Russell to Consul Freeman.

(Extract.)

Foreign Office, July 23, 1864.

I HAVE received your despatch of the 9th ultimo, relative to the state of affairs in the Benin River, and reporting the particulars of an outrage committed by the natives in that river on a British subject named Hineson, the agent of Messrs. Harrison, of Liverpool.

I have, in reply, to state that I have received a communication on this subject from the Liverpool African Association, a copy of which I inclose for your information.

I propose to await the result of the proceedings that may be adopted by Commodore Wilmot on his return to the coast, before issuing any definite instructions on the subject of this outrage.

Inclosure 1 in No. 6.

The Secretary of the African Association, Liverpool, to Earl Russell.

My Lord,

3, Brown's Buildings, Liverpool, July 13, 1864.

I AM directed by this Association to lay before your Lordship the particulars of a gross outrage that has been committed at Warree on Mr. Hineson, the agent of Messrs. Thomas Harrison and Co., of this town, and other servants at their factory at that place, as per annexed letters, and I have respectfully and earnestly to request that

your Lordship will be pleased to cause such instructions to be sent out by the African mail leaving London on the 23rd instant as will ensure a prompt investigation into this matter, and ample redress for this as well as many other old grievances at Benin, for which, as yet, no actual redress has been enforced. This Association has also received information of several outrages which have lately been committed by the natives on the persons and property of British subjects there, and complaints that previous outrages have never been really redressed, owing to the absence of the Consul to enforce the same, and that life and property there is becoming quite unsafe.

These instances help to demonstrate the fallacy of the present Consular system on the West Coast of Africa, the Consuls being placed there without having at command any means of transit, or any force to ensure redress for wrongs done at the most important parts of their jurisdiction, causing very serious inconvenience and loss to the British subjects engaged in the African trade.

I have, &c.

(Signed) J. B. COOPER, *Secretary.*

Inclosure 2 in No. 6.

Mr. James to Mr. Harrison.

(Extract.)

Benin, May 24, 1864.

WHEN at Warree I went round to the King's sons and other traders. While at Adjokie's Town, a slave who talks English for Adjokie, told me Mr. Hineson did not know him properly, and had sent him on one occasion off his beach.

On my return to the factory, I told Mr. Hineson to have nothing to say to him. Afterwards, while I was away at another town seeing some traders, Adjokie sent the slave I mentioned, "Malay," to speak with me. Mr. Hineson asked why he told me lies; he said, "What I told Mr. James was no lie." Hineson said it was; when Adjokie's slave gave Hineson a push. Hineson struck him, when the fellow stooped and threw Hineson on his back in the mud.

Annexed is what Mr. Hineson writes me shortly after my return to the factory at Benin:—

"The cooper he mentions has a severe scalp wound cut to the skull, and the radius of the left arm broken.

"This is not the first time Adjokie attacked the beach at Warree. He struck the late Mr. Rothery. Fortunately he had the schooner 'Fanny' up, and ran out her guns. No other acts of violence ensued.

"We have drawn up an address to the Governor of Lagos, requesting immediate and prompt action in this affair, regretting that in other Benin affairs more protection and satisfaction has not been given; and if this affair be shelved, as others have been, there would be no protection to life and property.

"If the Governor comes or sends at once, redress will be given, as the people, both in the river and at Warree, are very much afraid and vexed about it.

"Mr. James proceeded to Lagos to see the Governor, and try to obtain redress through him. Below are extracts from his letter, and also a copy of the Governor's reply."

Inclosure 3 in No. 6.

Mr. James to Messrs. Harrison and Co.

(Extract.)

Lagos, June 3, 1864.

I BEG to inclose copy of the reply of the Governor of Lagos to ours, requesting redress for the violent outrage at our factory at Warree. It is what we fully expected—no redress. He said, "I have no power or force to assist you. The Commodore has taken the only vessel at my disposal away, and sent her to look after slaves. I will write strongly about it to the home people. I shall leave it to you to look after the matter at home."

Inclosure 4 in No. 6.

Mr. Hineson to Mr. James.

(Extract.)

May, 1864.

YOU will be rather surprised when I inform you that Adjokie sent three big canoes on the morning of the 16th instant and carried me off with them to their town, where I was detained until late in the afternoon and treated shamefully, and not allowed to leave till I had promised to pay three puncheons, which I did. I got my back cut with a sword, and the old cooper got his hand and head broken; the rest, except Boyd, ran to the bush. I send down the cooper by this canoe to the doctor.

There was a big meeting here last Wednesday, Chamwana and all the big men present. They made a great palaver with Adjokie about it, and gave me the three puncheons that I paid Adjokie on the spot. Both Chamwana and Nyorie are very much annoyed about it. I have been very unwell since the affair last Wednesday, through the shock I received. They made the attack about 7 A.M. I certainly was surprised when I saw twelve big niggers in the shop with matchetts, guns, and sticks. They tore my shirt and singlet off at Adjokie's town, and at first would not let me have a hat on, and beat me fearfully. I now feel very unwell, and have been in bed since after breakfast, and shall feel obliged by your sending some one to relieve me.

Inclosure 5 in No. 6.

Governor Freeman to Messrs. James, Forshaw, and Clarke.

[See Inclosure 3 in No. 5.]

No. 7.

Mr. Layard to Consul Freeman.

Sir,

Foreign Office, July 23, 1864.

I AM directed by Earl Russell to transmit to you, under flying seal, a despatch which, by his Lordship's directions, has been addressed to Dr. Baikie, and which I am to desire you will forward to its destination.

I am, &c.

(Signed)

A. H. LAYARD.

Inclosure in No. 7.

Mr. Layard to Dr. Baikie.

Sir,

Foreign Office, July 23, 1864.

I AM directed by Earl Russell to acquaint you that, at his Lordship's request, Her Majesty's ship "Investigator" has been sent to communicate with you, and to afford you an opportunity of returning to the coast, and from thence to England.

As it is not his Lordship's wish that the establishment formed by you at the Confluence should be broken up until he shall have had an opportunity of communicating with you and learning your views as to the utility of its further maintenance, I am to desire that you will make arrangements for leaving some trustworthy person, either European or native, in charge of your station until next year, by which time the question will in all probability be decided whether a scheme for navigating the Niger will be adopted or not.

His Lordship has caused goods to the value of between 300*l.* and 400*l.* to be forwarded to you by the African mail steamer of the 23rd instant, to be applied either in liquidation of any debts or liabilities that you may have incurred on the public service, or for the future maintenance of the expedition.

I inclose, for your information, a copy of a despatch* which Lord Russell addressed to Her Majesty's Consul at Lagos by the mail of the 23rd of June, on the subject of your expedition, and I am at the same time to desire that you will make your arrangements for returning by the "Investigator" with as little delay as possible, in order that this vessel may not be detained in the river longer than is absolutely necessary.

I am, &c.

(Signed)

A. H. LAYARD.

No. 8.

Consul Freeman to Earl Russell.—(Received August 10.)

My Lord,

Government House, Lagos, July 9, 1864.

I HAVE the honour to report to your Lordship that a slave steamer (probably the "Ciceron") was seen off Aghwey, and chased for some hours by Her Majesty's steam-vessel "Pandora," Captain Ruxton, but unsuccessfully. It is said that the steamer passed near both the "Jaseur" and the "Philomel," and that had these vessels got up steam, she must have been cut off and captured.

The Commanders of both vessels, however, were unfortunately ashore, and the officers on board would not take upon themselves to get up steam.

There is a report current that the slaver had already 700 slaves, and wanted to make up her cargo, when she was sighted and chased. I think, however, that the coast is too closely watched for this to be probable.

I have, &c.

(Signed)

HY. STANHOPE FREEMAN.

No. 9.

Consul Freeman to Earl Russell.—(Received August 10.)

(Extract.)

London, August 9, 1864.

I HAVE the honour to report to your Lordship that I arrived in England this day from Lagos; the Council of that settlement having decided that I should proceed to this country to carry through some measures connected with the prosperity of the colony.

Commander Glover, who remains as Lieutenant-Governor, will take charge of the affairs of the Benin Consulate during my absence.

No. 10.

Dr. Baikie to Earl Russell.—(Received September 12.)

*Lukója, Confluence of Kwóra and Bínwé,
January 29, 1864.*

My Lord,

MESSENGERS whom we sent last October to the Rev. Mr. Hinderer at Ibádan in Yóruba, having returned and reported that they will be able to get a road to Lagos, I am taking advantage of the unlooked-for chance to forward letters and despatches.

Since the hurried departure of Her Majesty's ship "Investigator" last October, we have had an unceasing stream of visitors, messengers, and traders, which has kept me very busy looking after, providing for, and keeping in order such a considerable influx of people, as well as using any influence I possess among neighbouring tribes to keep the roads open and safe. The expectations of the various peoples concerning next season's trading are very great, and already ivory is being stored up for the purpose.

I find that heavy dues are charged on all ivory passing down the river which, of course, materially increases the price to us; but if your Lordship gives me directions, I have no doubt but that by application to King Másaba these may be considerably reduced.

Cotton is now being regularly brought here, and if inquired for would soon greatly increase in quantity. The right bank of the river, on which Lukója stands, is in every respect better adapted for trade, besides being more healthy, than the left bank, where the Church Mission has got a station.

Almost everything depends here on our understanding with King Másaba, who is all-powerful over an extensive region; but presents have a great influence here, and a due supply of presents, if well selected, will effect almost anything which your Lordship could desire.

I have already sent a messenger and presents to Kúkawa to the King of Bórnee, and I sent also to the Kings of Kanó and Záriya, but the latter were stopped on the road, and they returned to me. I am, however, just on the point of sending them again, and I hope this time we shall be more successful.

I have enjoyed better health lately than I have done for a long time; indeed I have notime to be ill. But I regret to say that my companion, Lieutenant Bedford, is in very

indifferent health, suffering from cough and chest affection from exposure in the bush in Asánti last rainy season.

I have, &c.

(Signed) WM. BALFOUR BAIKIE.

No. 11.

Acting Consul Glover to Earl Russell.—(Received October 12.)

(Extract.)

Government House, Lagos, September 6, 1864.

I HAVE the honour to acknowledge the receipt of copy of your despatch, dated June 23rd, also of a despatch addressed to Dr. Baikie, and transmitted to me under flying seal, which despatch I have perused and forwarded to that officer.

In compliance with your Lordship's directions to obtain a fit and proper person to take charge of Dr. Baikie's establishment, I applied to Commodore Wilmot, C.B., to grant me the services of Lieutenant Bouchier, R.M., which request was promptly complied with.

I accordingly appointed that officer, and took upon myself to advance him the sum necessary to enable him to provide an European outfit and necessaries of life sufficient to last until the next year.

I also provided him with an excellent interpreter, also a discharged soldier of good conduct from the 2nd West India Regiment, who is a native of Nuphé, and a cook, together with such advice as my knowledge and experience of the country enabled me to give.

From my previous knowledge of Lieutenant Bouchier, I have every confidence in his discretion and judgment; and being of a robust and healthy constitution, and of abstemious habits, I have every hope that he will withstand the effects of climate; added to which, I attach much importance to his being a soldier, or, as the natives will describe him, a "War Chief," a character which, before all others, they have the most respect for.

Her Majesty's ship "Investigator" left this on the 26th ultimo for the Nun Mouths, having received all Dr. Baikie's goods, which arrived per steamer of 23rd August, together with his mails.

Trusting my proceedings will meet your Lordship's approval, I have, &c.

No. 12.

Earl Russell to Acting Consul Glover.

Sir,

Foreign Office, October 24, 1864.

I HAVE received your despatch of the 6th ultimo, reporting that you had placed Lieutenant Bouchier, R.N., in charge of the Niger Expedition, during the absence of Dr. Baikie, and had advanced to him a sum of money for his immediate necessities, providing him, at the same time, with an interpreter. I have to acquaint you that I approve of your proceedings as reported in that despatch.

I am, &c.

(Signed) RUSSELL.

No. 13.

Dr. Baikie to Earl Russell.—(Received December 12.)

My Lord,

Sierra Leone, November 21, 1864.

I BEG respectfully to acquaint your Lordship that I was relieved at my post at Lukoja by Lieutenant Bouchier, R.M., on the 10th of October last, that I have reached so far on my way to England, and hope to be able to proceed from this place by the mail of the 22nd of December next.

I have, &c.

(Signed) WM. BALFOUR BAIKIE.

No. 14.

Lieutenant Bouchier, R.M., to Earl Russell.—(Received December 12.)

My Lord,

Lukója, Central Africa, October 11, 1864.

IN accordance with instructions received from his Excellency the Lieutenant-Governor of Lagos and Commodore A. P. Eardley Wilmot, R.N., I went on board Her Majesty's ship "Investigator" off the Nun branch of the Niger on 30th August, 1864. We proceeded up the river, and arrived at Lukója on 8th September; here being joined by Dr. Baikie, we proceeded to Bida on 12th September, at which place we arrived on 17th September, where we met with the most kind and hospitable reception from the King. While at Bida the King enumerated several trading articles which he wishes to be brought for himself, chiefly muskets, powder, silver, and coral; but of these a full list is contained in the letter which the King is transmitting to Her Majesty. The King also said that any amount of soft goods and hardware would be bought by the regular traders.

We re-embarked on 27th September, and again reached Lukója on 29th September.

We proceeded up the Benin as far as the town of Yimaka, where we had a very friendly interview with the King.

We returned to Lukója the following day.

I disembarked from Her Majesty's ship "Investigator," and landed officially on 10th October, and to-day I was formally introduced to the inhabitants by Dr. Baikie.

It having been strongly urged by Lieutenant-Commander Knowles, Dr. Baikie, and Dr. Eales, R.N., to obtain a volunteer from among the Europeans on board Her Majesty's ship "Investigator," to remain with me and to assist me in my duties and to act for me in case of sickness, I succeeded in obtaining the services of Mr. T. V. Robins, an artist who had been ordered a passage in Her Majesty's ship "Investigator" by Commodore A. P. Eardley Wilmot, R.N., and who appeared to be a person well suited for this purpose, being willing, active, and ready to put his hand to anything. I trust your Lordship will be pleased to approve of this last step, and to take into favourable consideration Mr. Robins' volunteer offer, which he has made at a considerable pecuniary sacrifice.

I have, &c.

(Signed) H. S. BOURCHIER.

No. 15.

Governor Blackall to Mr. Cardwell.—(Communicated by Mr. Cardwell, January 21, 1865.)

(Extract.)

Government House, Sierra Leone, December 21, 1864.

I REGRET to have to inform you that Dr. Baikie, the celebrated African traveller, died here on the 12th instant, at the house of the Hon. Charles Heddle, after a short illness.

I inclose Dr. Bradshaw's Medical Report on the cause of Dr. Baikie's death.

Inclosure in No. 15.

Report by Dr. Bradshaw.

DR. BAIKIE arrived here from the Niger on the 19th November. He was then suffering from a large urinary abscess with fistula in perino, accompanied with great exhaustion. He appeared to improve a little during the first fortnight he was under treatment, when symptoms of pyæmia set in, and a very large abscess formed in his neck. From this time his strength rapidly gave way; nourishment or stimulants taking no effect on a constitution already worn out from want of proper food and exposure to this baneful climate during his long stay in the River Niger. He continued to grow weaker daily, and expired on the 12th December. He was also suffering from Guinea worm.

(Signed)

ROBT. BRADSHAW, *Colonial Surgeon.*

Freetown, Sierra Leone, December 20, 1864.

AFRICA. (*Consular*)—*Bight of Biafra.*

No. 16.

Consul Burton to Earl Russell.—(Received January 13, 1864.)

My Lord,

"Antelope," November 30, 1863.

I HAVE the honour to submit to you the following notes of an ascent of the Congo River as far as the Yéllala or main rapid.

On the 24th July Her Majesty's ship "Torch," Commander Smith, arrived at Fernando Po. As I reported to your Lordship on the 15th August from St. Paul de Loanda, finding my health seriously affected by neuralgia, I applied for a passage to the Southern Coast, which was kindly granted. Leaving in charge of Her Majesty's Consulate Mr. Ed. Laughland, Postmaster, Fernando Po, I left the Island on the 29th July, and made St. Paul de Loanda on the 14th August. As my improvement in health was but slow, I resolved to proceed towards the highlands of the Upper Congo, which tradition represents to be a sanitarium.

Commander Hoskins, Her Majesty's ship "Zebra," obligingly forwarded me from St. Paul to the Congo River, and on the 30th August, 1863, I landed at Banana, or French Point, accompanied by Commander Perry of Her Majesty's ship "Griffon," to whom I had officially represented the value of naval escort at least as far as Boma. We found 3 to 3½ fathoms of water alongside, and within a few yards of the only two factories at the mouth of the fourth great African river. The first was a Dutch house, Messrs. Pincoffs and Kerdyk, under a chief agent, Mr. Elkmann, whose hospitality is well known, and whose active opposition to the Slave Trade has more than once endangered his life. The second is a barracoon belonging to M. Régis Ainé, of Marseilles, directed by a young Swiss, M. Victor Parrat, who is assisted by a clerk, M. Pichot, of Arles. This factory has, I was informed after departure, been sold by orders from home, showing that no further profit is expected from it, and Mr. Elkmann has purchased the premises, intending to turn them into a coalshed. It has often been recommended that a Government dépôt should be here established; St. Paul and Fernando Po being 200 and 650 miles distant, and in my humble opinion the measure would tend to foster the rapidly-growing licit trade in ground nut and palm oil.

I need hardly represent to your Lordship the satisfaction with which all the friends of Africa see the final disappearance of the "Immigration Africaine." It has produced a bevy of low Chiefs, touters, and kidnappers, enriched by the Traffic; it has thoroughly demoralized the European agents, who bought their free labourers as openly as any slave-dealer, and it has thrown the natives back many years in the march of improvement. I met a negro near Boma who has sold they say 3,000 "captives" (such is the usual local term), and who has in his villages 100,000 dollars of cloth and rum, white weapons, and arms and ammunition—*irritamenta malorum* all!

Commander Perry and I availed ourselves of the departure of a fine palhabote sent up the river by the French gérant. Presents to Chiefs were readily supplied to me at high prices, and M. Pichot accompanied us to buy cattle, and to act as interpreter. Our party consisted of Commander Perry, Mr. Bigley, Second Master, and five petty officers and men of Her Majesty's ship "Griffon," besides myself and my steward Selim Agha. I rejoice to add that after a week's exposure on the river, they returned without ill effects, and I had not exaggerated to myself the advantages of Commander Perry's company.

At 5 P.M., August 31, we made sail, and running up the right or northern bank, which is here, as in the oil rivers of the Biafra Bight, a mass of thicket and mangrove, of palms and pandanus, we anchored for the night off Bull Island, distant six to seven miles. It is a mere clump of trees, and appears as Rhinoceros Island in the charts between 1780 and 1820. Even this, the debouchure of the river, greatly requires re-surveying; there is

hardly a portion to be relied upon, and the delicate questions of the tides and of the under-current, which at times in most places runs counter to the surface-stream, remain to be settled. And here it may be remarked that, with due prudence, and by taking advantage of the reflux caused by flood tides damming up the mouth—a phenomenon which extends to the rapids—small steamers drawing four or five feet might easily and at all seasons ascend to within musket-shot of the “*raudales*.”

Betimes on September 1 our anchor was up. On the way we passed the last mangrove, showing that the saline influence extends no further. We remarked sundry factories, one-storied buildings of plank and thatch, peeping from holes cut into the densest bush, and most unwholesomely situated. They serve as vedettes and outposts, enabling slavers to ship below the difficult passage round Palm Point, and they command a straight reach and a clear view to the river's mouth. Moreover those on the southern or left bank facilitate overland transit to Mangue, Ambrizette, Ambriz, and other ports. The following are the names of the proprietors. Three on the north bank :—

1. M. Régis (deserted).
2. M. Lima Viana, a notorious slave-dealer.
3. M. Antonio Fernandez.

And three on the south bank :—

1. M. Alessandro Ferreira, a notorious slave-dealer.
2. M. Guillermo, a notorious slave-dealer.
3. M. Monseca.

Here, as throughout the river, it is temporarily *tiempo secco*, a dead season, caused by want of shipping, and the factors live by buying palm-oil, of which the river would supply large quantities.

We are now in the haunts of the Musurungu tribe, popularly called “Missolonghis;” they are the “Muscilongos” of Father Merolla (“Voyage to Congo, 1652”). They inhabit the islands of the lower river, and extend from the north bank as far south as Ambrizette. They are taller and darker, braver and fiercer than their neighbours, the Fiote, as the other race dwelling upon the Congo is called, and like the Ibo (“Eboes”) of the Nigerian Delta they are a plague to traders. They attacked Lieutenant Boteler's boats with pertinacity in 1825, and since that time they have killed several men detached on service from Her Majesty's cruisers, and have tied up and tortured white slavers. At present they are exceptionally mild, owing I believe entirely to the growing trade in ground nuts.

After twenty-two or twenty-three miles from Banana Point, with a three-knot current against us, we landed at 3 P.M. at Porto (or Puerto) da Lenha; in our latest charts “Ponta de Linha,” three errors in three words. The vile site is on the right bank of the river, whose valley is here five miles broad; the water is fresh, and when taken a few miles up stream, fit for drinking. The settlers, beaver-like, must protect their dam with strong piles, and a rise of four or five feet inundates their foundations. The port dates, like Abbeokuta, from the second decade of the present century. Captain Tuckey (Congo Expedition of 1816) knew it only as “Tall Trees,” and ships loaded without landing crews. The factories beginning from west, or down river, to east, are sixteen, and the following are the names of houses (not of agents) as communicated to me by a competent informant :—

1. Alessandro.
2. Carvalho.
3. Santa Silva.
4. Oliveira.
5. Fonseca, Spanish; the rest being Portuguese.
6. Régis Ainé of Marseilles.
7. Guillermo.
8. Lemos.
9. Ferreira.
10. Barros, who is his own agent, unlike the others.
11. Hatton and Cookson, of Liverpool.
12. Antonio Fernandez, whose agent here is M. Monteiro; down river, M. Silva; and at Boma, M. Antonio Vincente Pereira.
13. Remos.
14. Lima Viana, called American house.
15. Pincoffs and Kerdyk, Dutch house; Captain Baak, temporary agent.
16. Moreno.

There are now but two legal traders; formerly there was a third, Messrs. Tobin, of Liverpool; but the factory was attacked and destroyed by the natives when the late Mr. Meecham was agent.

Their tenure of ground, as at Boma, is as follows. There are two Kings, Nenzalo and

Nengongo; the former patronizes one-half of the factories, while the 4th, 6th, 11th, 12th, 13th, 14th, 15th, and 16th, are protected by his brother. Like many African Chiefs they are forbidden to see the river, and they therefore depute their linguists or interpreters to collect their dues. These contain three items; 1st, an ounce (16 dollars) per head of negro shipped at the port; 2nd, 4 per cent. on goods sold here; and, lastly, 100 milreis per mensem for each house, equal to 192*l.* per annum. Maciel, the agent of Nenzalo, died about two months' ago; his body has been mummified over a slow fire, and wound round with cloth till it is big as a bullock: to-morrow he will be carried to Boma for eventual interment, and much wealth will, *on dit*, be inhumed with him.

At 3 P.M., we landed at the factory of M. Monteiro, who received us hospitably. The house, which had lately been broken into by the natives, was provided with a thriving garden and poultry-yard. But a deep gloom overhung this southern Whydah; the gold ounces had disappeared from the gambling table, and many merchants must become insolvent if the *status quo* endures. Yet the ground nut pays cent. per cent. One milreis (equal to 4 francs of goods) buys 64 lbs. The agents are tyrannized over by the negroes, who, aware of the vast profits of the Slave Trade, presume upon them. Had hulks been used, such would not have been the case. Moreover, health would have been retained.

At 2:20 P.M., September 2, we left the Port of Wood. Above it the mighty river divides into three parallel branches, separated by isles and banks. The northernmost (Maxwell River of our charts) is the Nkángá; the central (Mamballa) is called Nshíbúl, and the southern is not named except by hydrographers, who have dubbed it River Konio, doubtless a mistake for Sonio or Sonho.

There is nothing to "log" in the Nkángá branch, except that high ground presently approached the banks, and the nightly fires, some of them grand spectacles, showing that the rainy or cultivating season draws near. Darkness caused the palhabote to ground till after passing the Ponta do Diabolo, where the stream is sluice-like. We anchored and "turned-in."

Early in the morning of the 30th September we finished the last of the thirty miles separating Porto da Lenha from Boma. We saw on the right bank the peculiar features alluded to by Messrs. Maxwell and Tuckey—an upright granitoid slab, called by the patriotic Scot "Fingal's Shield," at the foot of a dome-like stony hill crowned by a natural pillar, Tadi Nzázhi (improperly Taddy Enzazzi), the "Lightning Stone." The shield is called by the French "Pierre Fétiche," but it must not be confounded with "Tadi y a Mningu," our Fetish rock on the south of the river, sketched by Lieutenant Hawkey, a victim of the ill-fated Congo Expedition. Beyond this point the villages of Twáná and Chinkákassi, both inhabited by river-pirates, led to the little plateau on which modern Boma is built.

We now arrive at the apex of the Delta of the Congo. If, as is generally supposed, the Rio de Jacaré, or Crocodile River, a northern affluent below Boma, is connected with the Ca Congo River, we may lay down the base of the triangle between Landána (south latitude 5° 11'), and Ambrizette (south latitude 7° 16'), equal to 125 miles with an inland depth of 52 to 53.

Boma, meaning "cobra," or "the snake," and erroneously written "Em Bomma," is described by Father Merolla (1688) as a "pretty large island, and extremely populous." Captain Tuckey (1816) calls the place Market Point, and the Embomma which he visited is an inland Banza, or town inhabited by the "chief King" Messalla. The site of the present Boma is that marked in the Expedition Map and in the Hydrographic chart "Loombee," and the latter is the name of a large quitanda, or market, about two miles to the north-west of the factories.

The view about Boma is charming, and the air is sensibly dry and healthy. The north bank is high and broken ground, rounded hills, grass-clad, and dotted with palm and calabash. In the centre of the broad stream, whose southern arm is not visible, are three islands of varied forms. The westernmost, Simúle Kete (the Kekay of the Hydrographic Chart, the Hekay of Tuckey, and the Molyneux of Maxwell), is a cone rising abruptly from the water, and dark green with trees growing between rocks and boulders. It contrasts with its neighbour "Zungá chyá Ngándi" (the Booka Island of the Hydrographic Chart, and the Leyland of Maxwell), a low bank, grassy, and at this season yellow. The thick trees described by Tuckey have disappeared, only in the south-eastern and highest part clumps of the old forest linger.

These islands were proposed as depôts and settlements at the end of the last century, and might still be made available.

Furthest to the east is Buku (the Booka Embomma of our charts and maps), high, rocky, and wooded. It is, they say, separated by a narrow creek from its neighbour Chisalla, and the two apparently form but one. The southern country is less broken: there

are long grassy slopes and blue waves of land, which, beautifully diversified, trend in graceful lines towards the uplands, where San Salvador, the old Congo-Lusitanian capital, is situated.

The factories at Boma resemble those of Porto da Lenha, but they are humbler in size. The river here rarely rising above four feet, piles are not required. There were formerly fourteen houses, now reduced to ten, and of these many are deserted. The following are their names, beginning from the west or down stream :—

1. Régis, in charge of Cabenda man.
2. Alessandro.
3. Monseca, managed by a Spaniard, M. Manoel Martinez.
4. Fernandez.
5. Oliveira.
6. Carvalho, managed by M. Guimaraens, a mulatto Portuguese.
7. Barros, in ruins.
8. Lemos.
9. Santa Silva.
10. Lima Viana.

We landed at the house of Fernandez, and were hospitably received by M. Pereira, the Agent, a travelled man, who had visited Goa and Macao. He was then dealing in maize, ground-nuts and calavances, but 500 slaves were concealed in an adjoining barracoon, and of these on my return some 50 remained. His poultry-yard and garden were superior to those of "the port," and a small market held hard by supplied him with all manner of native produce.

The palhabote was ordered not to pass Boma, and canoes cannot be hired without the aid of Messalla, "King of Kings," the Chief of ten (formerly seven) chieftains, the rank growth of the Slave Trade. We set out in a fine Portuguese canoe along the north bank of the stream, now become so swift that Commander Perry's whaler was left far behind. We then entered a narrow creek, bounded northwards by the mainland, on the other side by the high and wooded islets of Buku and Chisalla, the latter a Royal Père la Chaise.

The channel, which may be 200 feet wide, is well laid down by Tuckey: the broad northern channel of the Hydrographic Chart does not at this season exist.

After towing past a dwarf rapid, a band of gneiss crossing the creek-bed, in fact a miniature of the so-called "Cataracts," we arrived at a neat, clean, and prettily-situated village, Chisalla, a succursal of the inland Boma. Here we were received by His Majesty Messalla, habited in a beadle's cast-off coat, which is still, as in Tuckey's day, Royal attire in these lands, and by his chief Minister, Manbuku Prata, or the "silver Manbuku," so called from his wealth. The latter was gorgeous in nightcap, jersey, and full-dress coatee of a French naval officer, with gigantic fancy epaulettes. A present of cloth and liquor softened their hearts, and for the sum of 9*l.* they gave us two interpreters and a pair of canoes, with suitable crews, as far as Nokki, which all hands declared to be the beginning of the land march; and we left them under a salute, which was duly returned.

The position of Boma at the head of the Congo Delta rendering it at once the depôt between the interior and the coast, and the means of defeating blockade by throwing its stores upon any unguarded port, notes it as a point worthy of vigilance. If it be judged unadvisable to station an officer at this place, boats might be sent up as often as the duties of the squadron permit; and those in charge should be directed to acquire, and to report all information touching the state of licit and illicit trade.

On the 6th September we were ready to depart, and we left behind all the white men except Dean, the boatswain's mate, and Friend, captain's cook, both of them handy fellows.

At 4 P.M. we set out in our canoes, and before midnight we found ourselves again at Chisalla, where an extortion was vainly attempted; and then we paddled up to our sleeping-place.

The mail being about to close, I am compelled to defer the sequel till the next post, and I have, &c.

(Signed)

RICHD. F. BURTON.

No. 17.

Consul Burton to Earl Russell.—(Received February 11, 1864.)

My Lord,

Agbome, Capital of Dahome, December , 1863.

I HAVE the honour to inclose the remaining portion of the Report which time did not allow me to finish before the departure of the last mail, and to express a hope that it may meet with your approval.

I have, &c.

(Signed) RICHD. F. BURTON.

Inclosure 1 in No 17.

Conclusion of Report on Ascent of the Congo.

THERE are six reaches in the forty-five miles between Boma and the landing-place of Banza-Nokki; the longest is fifteen, the shortest three miles. They are not, however, straight, as on the H. Chart; a succession of bays and projections, excluding direct vision, render them more like a series of mountain-tarns, exceedingly picturesque. The highlands near the stream undulate with sloping declivities, often intersected by deep ravines, and their rounded surfaces are clothed with grass, rocks, and boulders. At their feet a green ribbon of reed and flag measures the extent of the inundation, and in places there are precipices and tall bluffs. Vegetation is thickest at the mouths of the many short and narrow gullies which after rain discharge themselves into the river, and thus may be accounted for the floating islands which appear at the embouchure. Of these "fumaras" we counted sixty-nine on the right and fifty-four on the left bank; all, save a dozen, dry. As Tuckey remarked, we did not see any influents that could turn a mill, but August and September are the lowest seasons, and they must roll torrents in the rains.

The breadth of the river varies from half-a-mile to a mile, the current from three to five knots per hour. The Congo is a trough from Boma upwards; the surface loses the glassy smoothness of the lower bed, and the boiling and swirling are those of a great river below its cataracts. The water is sweet and shows little sediment; though brown in the channel, it looks white in the glass. The bed is a bright yellow sand, the detritus of granitic formations. A stiff sea-breeze extends beyond the Rapids; it is however, late, rarely beginning at this season before 3 P.M., and often blowing with great violence at night. It seems to rise from the river surface gradually to the crests of the mountains—a phenomenon noticed in many parts of the tropics.

We met with no opposition except from one Inpeso Birimbá, of Lusugu, one of the slave-agents of the French Immigration. He stopped us with two armed canoes, and though M. Pichot was present, he demanded and received a piece of cloth. At 2 P.M., 7th September, we landed at Nokki Congo (of the chart), called by the natives "Nkongolo." Here, as in most other places, the village has been destroyed, and the people have either been kidnapped by those of the lower river, or have fled to the protection of the highlands. Our interpreter was at once sent to Banza Nokki with a report of our arrival. Early on the 8th September we were visited by six Kings or Chiefs of Banza Nokki, who brought down forty "moleques" (slaves) by way of escort and portage. The former were richly clad in European stuffs, with coral and silver ornaments; the latter were armed with muskets of French and American manufacture. At 9.15 A.M. we began a steep ascent over dry and clayey soil, with scatters of dusky and semi-transparent quartz; the true Sierra do Cristal. After a deep depression that sent forth an affluent to the main stream, and another dolorous ascent along an almost perpendicular "hogsback" of weather-worn granite bulging from the hill-side, we passed the outlying village Kinbembu, and entered Kaye or Kai, the King's quarters of the Banza Nokki district. These Banzas, in Tuckey's map, are laid down as villages, but they rather denote groups of settlements. That officer makes the elevation of Banza Nokki to be 1,300 feet; I have not had time to work out my observations, but his altitude appears to me somewhat under-stated. The distance was five indirect and three direct miles; the direction from the river south-east.

The site was charming; quite a sanitarium. An amphitheatre opens to the south-east, affording a perspective of blue hill; and exposure to the rainy direction, combined with shelter from the winds, clothes it with glorious trees, here scattered, there in clumps and bosquets, there in impenetrable masses showing the exuberant fertility of the soil. Behind it to the north is a ridge or dwarf plateau, rich with manioc and plantains. The

huts of neat wicker-work resemble Swiss *châlets*; they are built on platforms and shelves cut out of the hill-side, and the King's is situated below the rest. After the desert state of the river banks I was surprised to find so much population. Kaye may contain 200 souls in 40 tenements, and within cannon-shot there are not less than twelve villagers, with a total of perhaps 2,400 inhabitants.

After a short delay we were summoned to the "palace," a hut larger than its neighbours. The King, Nessudikira, was a beardless youth, and his dress was the usual mongrel Africo-European—a huge brass casque, a frock-coat of blue broadcloth, a white shirt, and a loin-wrapper of purple velvet. The succession being by nephew, Gidi Mavungu, the King's father, sat humbly on the ground before his son in an extensive semi-circle of lieges. The customary "*mata bicho*," or computation, over, we stated our wishes. Gidi volunteered, when presents had been delivered, to escort us to the rapids, but it soon became evident that a week would barely suffice for the march. Commander Perry, therefore, reluctantly returned, leaving me and my steward at Banza Kaye under the protection of the King, who guaranteed my safety.

During my three days' stay at this place I found the Banza to be one of the hundred out-stations supplying the main *depôt*, Boma. Small parties went out at certain seasons provided with rum, powder, and a little cloth, and either bought the slaves or paid earnest-money, and sent them to the villages, where the balance was paid up. Both Chiefs and people are perfectly acquainted with the country as far as the frontier, where the bushmen bring down their captives and criminals for barter.

The slaves are brought from many and distant countries. The most prized are the Mundongos, a fine tall race, each equal to three Congoese, arguing a high and healthy habitat. Apparently there are several sub-tribes; some are almost jet-black, others *café au lait*. Moreover, there is a difference in their stigmata. Some have fine thread-cuts running from the zygomatic arch to the chin, whilst others draw similar but broader lines from the cheek to the jawbone, forming an angle of forty-five degrees with the vertical axis. The Congoese assert them to be "*papagentes*" (cannibals). On inquiring from themselves they declared that after a fight they eat the slain enemy, a custom very prevalent on this coast.

One of these Mundongos told me that near the head of the Congo River, or rather of its north-eastern branch, there is "a water where men in canoes do not see land;" and this agrees with general tradition.

The neighbours of the Mundongos are the Mubangos, the Muyanji (Muyamzi?), and the Mijolo, who all much resemble one another. The first-named are known by a tattoo extending from the frontal hair-roots to the root of the nose. The second (a boy was the only specimen brought before me) have a patch of detached cuts, five long and three deep, from the bend of the eyebrows across the temples. The Mijolo, whom some call "Minjere," cut across the forehead. They appear an intelligent race, and manufacture good swords, with straight blades and ivory handles. I could hear nothing of the "Jagas" of older travellers, those terrible anthropophagi who "considered human flesh as the most delicious food, and goblets of warm blood as the most exquisite beverage." Nor was I more fortunate touching the "Anzikos," who occupy in our maps the fork of the Congo River.

With respect to the Fiote or Congoese dialect here spoken, I may remark its wonderful resemblance to the Kisawahili of the Zanzibar Coast. Many sentences, heard for the first time, were intelligible to me. The people have, for the most part, a little knowledge of Portuguese, but it is vilely corrupted. Christianity has entirely disappeared, despite the prodigious efforts of the sixteenth and seventeenth centuries, and the Congoese, most superstitious of men, have gone back to their olden gods. The limits of this Report forbid me to enter into this extensive and intricate subject; I may briefly state that the local faith resembles that of the Gaboon tribes described by M. du Chaillu. Polygamy is limited only by the expense of marrying free women; concubinage is excessive. I was pleased to remark that the inordinate immorality described by Tuckey has entirely disappeared. The domestic picture drawn by Merolla two centuries before is now far more truthful, and these highlanders contrast well with the Cabendas and their neighbours, who still lend their women as part of the guest-rite.

On September 11th I left Banza Kaye for Gidi's quarters, and at dawn of the next day I set out with an escort of twenty men for the Yellala or Rapids. Our direction was the magnetic north towards Banza Vivi (Tuckey's "Bibbie") on the right of the Congo River. The path wound through fields, and up and down deep ravines till we fell into a little green gorge, and after three miles to the north-north-east we entered Chinsawu, the village of "King" Nelongo. This potentate received us well, but would not suffer us to depart—such proceeding would have led to war—until we had seen and made presents to

his neighbour and colleague "King" Nekorado. Nor did we escape till noon on the next day, after a drawing of swords, a war "palaver," and other troubles brought on by general intoxication.

Passing out of Chinsawu we ascended a grassy hill, whence the Congo River was sighted above the H. survey. We then wound along the crest to the north-east, and presently came to a morro or cliff some 1,300 feet high which offered difficulties. The very steep path, slippery as steep, showed scant signs of a zigzag. The descent occupied three-quarters of an hour to the ferry of the Npozo River, a southern affluent which passes, they say, near Congo Grande, as San Salvador is popularly called, but the line is not navigable. We camped in Unyenye Assiku, a sandy baylet opposite three rocky islets called collectively Zunga Nuapozo. I believe this to be "Nomaza" Cove where the Congo expedition left its boats, but there is no such word in the Fiote language. The shore is daily visited by fishermen, whose prey is mostly the silurus. We nighted there, and felt the first rains of the season. The cassimbo or dry weather from May to September is now over, and the annual flood of the Congo begins.

Early on the next morning we were ferried for a consideration over the river, here half-a-mile broad with a six-knot current, and rendered unnavigable higher up by the Borongwa ya Vivi, where the channel is compressed by two opposite cliffs, and where the water breaks right across like the bar of Lagos. The distance by estimation is nineteen miles above Nkongolo our landing-place, making a total of 116 or 117 along the stream from Banama Point at the debouchure. After paddling fifteen minutes we landed at a stony projection called Selele, where for the first time I saw on the rocks the ferruginous black glaze of the Orinoco and Yang-tze Rivers. The fact that all springs in these mountains are strongly chalybeate may account for its presence. We again ascended, but the slope was gentler than the opposite morro, and after half-an-hour we arrived at a little village in Banza Vivi. Here we were received by the Royal linguister or interpreter, Nessalla: the King Luvungwete came to receive his "dash," and the night was passed in the pleasures of the "batuque," a highly characteristic Congoese dance which gave rise to the "Cachucha."

At 5 A.M. on the next morning, we set out in a drizzling shower towards Banza Nkulu (Tuckey's "Coolo"), which is opposite the Yellala. Though winter approached, the country was fair to look upon, and the grass and thin shrubbery, instead of dense bush and forest, suggested an ancient civilization. After an half-an-hour we reached Simbo, a village on the highest ridge of the Vivi district, about 1,400 feet above sea level. Beyond a deep valley, we sighted in front (82° magnetic) the line of palms showing our destination. On our right (65° magnetic), distant five miles, was a "crocodile's head," the southern staple of the Yellala gate, and between the two (75° magnetic) afar off, and blue with interposed air, rose a tall solitary sugar-loaf, Kongo de Lemba. Crossing the valley we ascended a hill of rich ferruginous clay, now the prevailing formation of this soil, and after three hours of actual marching (seven miles), we found on the plateau at its summit some ragged huts of inferior construction, the outlying village of Banza Nkulu, where the land of the bushmen begins. Most of those now alive had never before seen a white face.

In Tuckey's day, Banza Nkulu had but one "King;" now there are three, all of whom, besides their interpreters, expect "dash." The villagers showed no hospitality, and they left us under a tree all day till we clamoured for shelter. At 4 P.M. we were visited by an armed procession of 250 men, the suite of the three interpreters, and I saw with grief that all were well supplied with cloth. A long palaver ensued touching the amount of "dash" presented by me; the dignitaries after a private consultation ended by accepting it, but they sent no provisions to my party, whose discontent was written large in their faces. The bushmen made a great favour of allowing us to see their Rapids; and when I consulted them about a march to Nsundi, where the river again becomes navigable, they demanded 200 "big pieces" (each = 1*l.*), besides 100 lbs. of beads, rum, powder, swords, and uniforms, a total of 300*l.* for a week's march. I expected this exorbitance to subside on the morrow, but it was probably encouraged by my party in the hope of my speedy return, and the people would not abate an ell.

At 6 A.M., September 16, we proceeded to make the short march separating us from the "Cataracts." Passing through the village and its fields we began a severe descent whose perpendicular height is 900 feet (approximately). The ground was red, and the slippery path was pierced through—grass 12 to 15 feet high. After an hour we reached the foot, and crossing a brook of fresh water we began the easy ascent of a short rounded hill. The river face was much more precipitous than its greater neighbours—all steps and drops. Another half-hour, with a descent of about 125 feet, placed us on a rocky platform 100 feet above the level of the river.

The Yellala or Rapids of the Congo remarkably resemble those of Busa (Boussa), as described by Richard Lander. They are formed by the closing in of the gorge or trough,

which narrows from half-a-mile to 400 or 500 yards. The main channel flows to the left, and never dries. In the centre of the stream is a rocky islet, "Sanga Chya Malembe," which throws out towards the northern bank a reef, here above, there below water. Over and around it the current courses with violence, throwing up for a mile and a half curled and broken waves, whose spray looks dingy-white against the dirty yellow-brown of the less disturbed waters. I found the northern bank lined, for some hundred yards, with naked blocks of granite and greenstone. The stream whirls and falls through these obstructions in many distinct "flows," and in places the water seems almost stagnant, suggesting the idea that a canoe might be got through. Indeed, with expert boatmen, I should not hesitate to attempt the main stream.

The course of the river is here from east-north-east, and the length of the reach is from four to five miles. As far as the eye can see, the channel is obstructed by rocks, and opposite us, "Crocodile's Head," a quoin-shaped hill, chokes the bed, producing a dwarf perpendicular fall. Beyond it, but concealed by projections, there is, they say, smooth water for a space, and ferries and fishing canoes ply there.

The site of the Yellala is at the highest axis of the Sierra do Cristal chain. Looking eastward, the land smoothens and the hills fall more gently, without the morros which we have traversed, into the counterslope or landward versant. The old river valley, as shown by the scarp of the hemming-in rocks, displays gigantic features. With the Congo expedition I was at first perplexed by the disparity between the quantity of water in these two channels, each at present about 150 yards broad, and the vast volume of the river below. But Dr. Smith's theory touching the existence of subterraneous caverns or communications ever filled with water, in fact a subterraneous river—in those days a favourite theory—by no means satisfied me: there was no hollow sound and not a trace of limestone in the country. I was therefore compelled to attribute the phenomenon to the great slope of the river, which here becomes a mountain torrent, deceiving the eye by its rapidity.

These rapids ought not to cause any serious obstruction to the development of the Congo. At Banza Nsundi (the "Soondy N'Sanga" of Tuckey), distant 35 direct miles by land, the river becomes a broad lake-like stream, with a fine open country on both banks.

With respect to the names of this noble river, Diogo Cam, the discoverer, called it "Congo" from the name of the country which it waters. Afterwards it was known as the "Zaïro," which F. Merolla derives from "Zevoco" (I don't know), the native reply to European inquisitiveness. D'Anville named it "Barbela," a word unfamiliar to the people on its banks. Tuckey learned that it ought to be named "Moienzi Enzaddi," the great river, or the river which absorbs all other rivers. Theorizing upon this information others have confounded it with the "Zadi" and "Zad" of the Arabs, which are palpably varieties of Chad or Tsad, now called "Binue," the great eastern fork of the Negroland Nile.

As may be imagined, the various tribes living near the Congo have no one name for it. Even in Fiote we find "Mulanzo" or "Lanzo," the water; "Nkoko," the stream; "Mwanza," the river; "Mwanza Nnenne," the Great River, and "Mwanza Nzadi" (whence "Moienzi Enzaddi"), or the River Nzadi. The latter being the only proper name was corrupted into "Zaire" and even "Zahir;" the Portuguese, however, pronounce the word with a diæresis, "Zaïre," not like the French "faire," which Europe seems to prefer.

The "Zaïre" still offers a curious geographical problem; is its principal branch the north-eastern or the south-western? Tuckey preferred the former, being apparently ignorant of the fact that when the river is at its fullest (in our midwinter), it is the dry season throughout the regions north of and near the line. It is evident to me that the principal supplies must be derived from the Southern hemisphere, where the rains begin in October and end in April or May. Dr. Livingstone, in his far-famed journey from Makolololand to St. Paul, threw considerable collateral light upon this subject, and in my humble opinion justly determined the "Quanzo" to be the true head waters of the Congo. The Portuguese geographers call the former "Supposto Congo," and assert that further elucidation is required. I need hardly say that if your Lordship deems the subject worthy of investigation, I should feel highly honoured by being chosen to carry it out. The local authorities at Angola will, I am certain, afford me every possible assistance, and with the aid of a naval officer, who could assist me in observations, I might look forward to returning with important results, not only geographical but ethnological and commercial. It is indeed regrettable that the Great Zaïre should, in this our nineteenth century, be permitted to flow through regions blank and unknown to us as on their creation-day.

My health being thoroughly restored in this delightful region, and having no time to spare, I resolved to return after exhausting every argument with the Chiefs of Banza

Nkulu. The chief King sent abundance of provisions, and begged me to come back with a larger outfit as soon as possible.

On September 17 we set out for Banza Nokki, and after three days embarked in a canoe and reached Boma, where, on September 24, I received Commodore Wilmot's letter offering me a passage to Fernando Po in Her Majesty's ship "Griffon," Commander Perry. I descended in safety the "Nshibul," or central channel, and on September 27, after being nearly swamped in the violent stream, I reached Banana. Various naval duties detained the cruiser on the south coast, and we returned on October 23 to Fernando Po, where affairs were quiet, and all were sick, owing to the unusual duration of the rains.

I hope to have made it evident, even in the few preceding pages, that the Zaïre is adaptable to something better than to the transit of captives and criminals. The following objects of export are found throughout the country which it is known to water:—

1. Cotton, which in the beginning of the present century was regularly exported to England.
2. Wax, procurable in abundance, but wholly neglected.
3. Copper, still brought in small quantities from the interior; this, however, and other metals, as iron and gold—of which tradition speaks largely—are unexploited.
4. Ivory, so despised by the traders that for years it has been sent from the Upper Congo to Mayumba, and other non-slaving ports, for exportation.
5. Palm oil in quantities, along the banks and in the delta as far as Boma.
6. Ground-nuts, growing throughout the country. The highlands of the interior might be covered with this oil-grain.

Of these the arachis, paying about cent. per cent., is best adapted for the upper country, and everything should be done towards its development.

At present there is a crisis in the Zaïre. The French immigration has come to an end, and the watchfulness of the blockading squadron has temporarily annihilated the export Slave Trade; but let the ships be removed and it will be revived in a day.

I conclude with the pleasing hope that my poor labours may contribute something, however small, towards clearing the way for the future explorer. My short journey was in every way successful, and my presents to Kings and Chiefs amounted to only 43*l.* sterling.

I have, &c.
(Signed) RICHD. F. BURTON.

No. 18.

Earl Russell to Consul Burton.

Sir,

Foreign Office, February 22, 1864.

I TRANSMIT to you, for your information, copies of a letter, and its inclosures, from the Liverpool African Association complaining of the conduct of Pepple, King of Bonny, in levying duties and making demands on British traders not authorized by the Treaty between this country and the Chiefs of the Bonny River.

I also inclose a copy of a letter which I have caused to be addressed to the Board of Admiralty, requesting that a cruiser be sent to that river for the purpose of protecting the rights of British traders.

I am, &c.
(Signed) RUSSELL.

Inclosure 1 in No. 18.

The Secretary to the Liverpool African Association to Earl Russell.

My Lord,

3, Brown's Buildings, Liverpool, February 16, 1864.

I AM instructed by the African Association to forward to your Lordship copies of a letter sent to King Pepple on the 23rd November last, after receipt of your Lordship's communication of the 21st November, 1863, and also of King Pepple's reply, received by the last mail.

The Association have also received the following communication from the Court of Equity at Bonny:—

"At a full meeting of the Bonny Court of Equity, held the 4th day of January, 1864, it was resolved—

"That as King Pepple has violated Clauses IV, V, VII, X, XIII, and XIV of the Treaty of the 3rd October, 1850—

"1st. By stopping the trade of Messrs. Clegg, Grant, Massey, and Moore, although all comeys due have been tendered to him.

"2ndly. That he has been endeavouring to compel the above-named agents to give him 20 puncheons' worth of trust each.

"3rdly. By enforcing from Mr. Froggatt (after Captain Thomson's death) an advance of 60 quarter-barrels of powder before he would allow him to continue the business of his ship.

"4thly. By making a demand from Captain Mc Intosh of 4,625 bars, payable in powder at 20 bars per quarter, for having put the 'Celma' on the beach, although in a sinking state, without his (Pepple's) permission.

"The Court hereby unanimously pledge themselves to resist King Pepple's unlawful actions and demands; and it is further recommended that the African Association should press the Government to place more of the Consul's time at disposal for the benefit of the oil rivers."

I am further desired to express a strong hope on the part of the Association that a letter may be written direct to King Pepple by the next mail, informing him that the allegations of Mr. Thwaites are incorrect, and that no such opinions have been expressed by your Lordship as those attributed to you.

The Association are the more emboldened in praying that a direct communication may be sent from the Foreign Office to King Pepple, as from their knowledge of the African character they believe most important results will be attained; a consummation which is the more necessary as matters have arrived at a serious crisis, King Pepple since his return having invariably endeavoured to evade the obligations of the Treaty to which he has been a party.

The Association will feel much obliged if your Lordship can possibly enable them to write out by the mail of the 23rd to the Court at Bonny with your Lordship's opinion on the matter, and the information that a letter has been sent, if, as they venture to hope, the prayer of the Association should meet with the favourable consideration of your Lordship.

I have, &c.

(Signed) J. B. COOPER, *Secretary.*

Inclosure 2 in No. 18.

The Secretary to the Liverpool African Association to King Pepple.

Dear King,

3, Brown's Buildings, Liverpool, November 23, 1863.

I AM directed by the Liverpool African Association to acknowledge receipt of your letter of the 5th October, which, together with the copy of Mr. Thwaites' letter to you, has been laid before Earl Russell, and I am instructed to state that the demand of an increased comeys, and the attempt to enforce its payment by closing the trade, is regarded as a direct violation of existing Treaties, and will be treated as such.

The Association regrets very much that you should have taken such a step, allowing yourself to be imposed upon; for you will see, from the letter received from the Foreign Office, that Mr. Thwaites has entirely misrepresented the views of Earl Russell.

Mr. Massey, Chairman of the Court of Equity, will forward to you a copy of the Foreign Office letter, and some other documents, which will prove that the Association is in earnest, and means what it says; and it is to be hoped that you will adopt such a line of proceeding as will admit of the trade being resumed, and thereby render any interference by Her Majesty's Government unnecessary.

I am, &c.

By order,

(Signed) J. B. COOPER, *Secretary.*

Inclosure 3 in No. 18.

King Pepple to the Liverpool African Association.

Gentlemen,

Bonny, West Coast of Africa, January 5, 1864.

YOUR letter of the 23rd of November, 1863, sent through Mr. Massey, Chairman of the Court of Equity here, arrived safely to hand on the 28th ultimo, with copy of a letter from the Foreign Office and extracts of the Association letters to the Court of Equity.

You say you regret my taking such a step, and allowing myself to be imposed upon ; and also that Mr. Thwaites entirely misrepresented Earl Russell's views.

In reply, I assure you it is a mistake of yours ; and at the same time I am sure you must think me experienced enough not to go and allow myself to be defrauded. And by what you say in your letter it appears to me that my friend Earl Russell must have told some of his views to Mr. Thwaites about that matter, which Mr. Thwaites at once communicated to me. I am also sure that such a gentleman as Mr. Thwaites would not send me false views.

You also state that you are in earnest, and mean what you say, &c. In answer to that, I beg to remind you that Bonny, true, it is small, but it is independent of all the world, and Her Majesty's Government cannot interfere with Bonny in any way whatever without Bonny injuring any British subject.

I also beg to call your attention to Bonny Chiefs' letter to this Association dated May 5, 1863, which will show that a great many presents have to be given to all the Eboe Chiefs every year. Bonny Chiefs are now in the interior, giving away presents on purpose to make oil come down.

I am, &c.

(Signed) PEPPLE, *King of the Bonny.*

Inclosure 4 in No. 18.

Mr. Layard to the Secretary to the Admiralty.

Sir,

Foreign Office, February 22, 1864.

I AM directed by Earl Russell to transmit to you, to be laid before the Lords Commissioners of the Admiralty, the accompanying copies of a letter and its inclosures from the Liverpool African Association complaining of the conduct of Pepple, King of Bonny, in levying duties and making demands on British traders that are not authorized by the Treaty engagements subsisting between the Bonny Chiefs and this country.

I am to request that you will move their Lordships to cause copies of these papers to be communicated to the officer in command of Her Majesty's naval forces on the African station, with instructions to send a cruizer to the Bonny River to intimate to King Pepple that he must at once desist from the demands which form the subject of complaint on the part of the African Association ; and the officer entrusted with this mission should also be directed to protect British traders in refusing to comply with the unjust demands made upon them by the King.

I am, &c.

(Signed) A. H. LAYARD.

No. 19.

Consul Burton to Earl Russell.—(Received May 12.)

(Extract.)

"Jaseur," Bonny River, March 23, 1864.

I HAVE the honour to inform you that, having arrived at Agbome on December 20, 1863, I was not allowed to deliver my "message" before February 13, 1864. The cause of this unprecedented delay was partly the Grand Custom and the King's preparations for war. He had also, perhaps, seen too much of Government servants and white men (three several visits having been paid to him during the year) not to have his African suspicions aroused.

My mission has been so far successful that, for the first time, such displays as parading the victims and slaughtering them within hearing, if not in sight, of English officers were omitted ; and I have reason to believe that those killed were either criminals

or captives: moreover, that the executions showed signs rather of indulgence than of torture. The death of prisoners admits of some excuse here; it is an act of reprisals. Whenever Dahomians are taken by hostile tribes they also are liable to death. It is, however, erroneous to suppose that all war-captives are slain in Dahome. At Agbome I have seen many men from Abbeokuta and Ishagga, not only living contented and happy, but also ready to serve against their fellow-countrymen. And, *vice versâ*, Abbeokuta can show the same.

As sometimes happens, the Press and public of England have completely mistaken the nature of the Dahomian "customs" and the peculiarities of the human sacrifices that disgrace the country. The deaths publicly inflicted are *in terrorem* against enemies and malefactors. They are, in fact, the yearly execution, as if all the murderers in Great Britain were kept for hanging on a certain day in London. The real sacrifices are secret, and these are fearfully frequent. Whatever the King does, even changing one "palace" for another, must be announced to his father and his ancestors by a "message," the messenger being a man, a woman, or, at times, an animal. This with him is filial piety. When "watering" the graves of his eight predecessors he kills some score of both sexes, with equal privacy. If he failed it would be sacrilege, and his subjects would look upon the omission as Europeans would regard a King that forbade prayers over the dead. But worse than all are the scenes enacted at the King's death (when no one is responsible), and at the installation of his successor. Although the late Gezo made his high officers swear the fetish oath to disallow the general slaughtering which, before his time (as Dalzel's "History of Dahome" shows), always followed the Royal demise, the defunct must be accompanied by a small court of officials, male and female, wives, fighting women, eunuchs, warriors, drummers, singers, and others, numbering, at least, 500. On the other hand, the new King is bound to out-do this. In August 1860, according to the Rev. Mr. Bernasko (Wesleyan "Missionary Notices," February 25, 1861), the present Ruler, in performing the grand customs for his father, slaughtered 2,000 people in three weeks. For such horrors as these time is the only cure.

Having embarked (on board Her Majesty's steam-ship "Antelope," Lieutenant-Commander Allingham) the presents for Dahomey sent by Her Majesty's Government, I arrived off Whydah Roads on December 2, 1863. The Rev. Mr. Bernasko, accompanied by Mr. Dawson, also a person of colour, presently came on board. I requested the former at once to despatch a message to the King acquainting him with my wishes, and insisting upon your Lordship's orders to me that no sacrifice or execution was to be sanctioned by my presence. Unfortunately Captain Wilmot had sailed before the day of our anchoring. I was single-handed, and subsequently I had reason to believe that the message was never forwarded in the words used by me.

On December 8, 1863, I landed safely in a mild surf with Commander Ruxton, Her Majesty's steam-ship "Pandora," and Dr. Cruikshank, R.N., who had received orders to accompany me to Dahome. We proceeded to the town with all ceremony, halting on the way for some time at a place called Agonji (the "Gonnegee" of the history), and commonly known as the "Captain's tree." The Yervogar or Viceroy and the "Prince Chyudaton," his adjutant (all Dahomian officers are in pairs for better espionage), were at Kana with the King. Consequently the salutation of the "Ahwángán," or military Caboceers (which consisted of a sham attack with far more dancing and drumming than manœuvring), was the reverse of imposing. These and other ceremonies occupied five hours for the work of forty-five minutes. At 3 P.M. we reached the "English Fort," and there, as is customary, drank with the Caboceers the healths of Her Majesty and the King; after which our visitors were dismissed with trifling presents. On my return from Agbome other gifts were demanded; I refused them, being unwilling to establish the practice.

I find nothing to add to my former description of Whydah town. A little gaiety had been infused by the safe departure of a full steamer* on October 10, 1863; the carousing and debauchery brought back the days of the Great Dépôt. I hold this from the best authority. Not one of the so-called lawful traders was absent from or failed to do justice to the various festivities and the pro-slavery toasts. M. Gérard left Whydah shortly afterwards.

On January 25, 1864, a sore blow was dealt to the slave interest at Whydah. Shortly after the death of M. D. Joaquim de Carvalho, called Breca, the well-known M. J. Domingo Martinez, who had long been lingering, departed. The immediate cause of his death was an access of rage.

Being a Caboceer of the Kingdom M. Martinez had great power, and his interest was

* The Spanish slave-steamer "*Cicéron*."

always a rallying point for the minor dealers in and about Whydah. I found him, though the prince of slavers, a courteous and hospitable man; and there are many Englishmen on the Slave Coast who have had reason to appreciate his good qualities. Before his death he lamented not having known the native better, and with reason. Even before his burial the keys of his house were taken by the Yervogar. The King of Dahome claims the *droit d'aubaine* over all the property of his officers. The family of M. Martinez, unless he has remitted money to Bahia, will be greatly reduced, and his eldest son, a youth who has spent the greatest part of his time in irons, does not appear capable of retrieving the fallen fortunes of the family.

In the days of Commander Forbes (1848-49) there were at Whydah about 200 Spaniards, Portuguese, and Brazilians. They are reduced to the following remnant:—

The English subjects, all men of colour, and mostly of the Fanti or Cape Coast Castle race, are a floating population, and may average a dozen souls, missionaries and traders. The French Mission now numbers six members. At the French Factory there are three employés, not including M. Daumas, the Agent-en-chef. The De Souza family is numerous and powerful. Of the founder of the family, the defunct Francisco Fillis de Souza, the names of thirteen sons and four daughters are well known. Of the former is the present Cha-cha or Commercial Chief of Whydah, also called Francisco Fillis de Souza. The younger members of the family are about 100 known to the Missions. There are five Portuguese traders, viz. :—

1. Antonio Viera da Silva, at Whydah, Grand Popo, and Agwe; 2. Francisco de Souza Maciel; 3. Ignacio de Souza Magalhaes, at Whydah, Porto Novo, and Badagry; 4. Jacinto Joaquim Rodriguez, at Whydah and Porto Novo; 5. J. Suarez Pereira, at Whydah and Agwe.

There are fourteen Brazilians, namely :—

1. Francisco Antonio Monteiro; 2. F. J. Medeiros, Portuguese, born in America, at Agwe; 3. Francisco Olimpo Silva, at Porto Seguro; 4. Marco Borges Ferras; 5. João Pinheiro de Souza, commonly called "Taparica;" 6. Gulielme Martins do Nascimento; 7. Marcelino dos Martins Silva; 8. Ricardo Augusto Amadie (he speaks French and English); 9. João Victor Angelo; 10. José Francisco dos Santos, commonly called Alfaiate ("the tailor"); 11. Angelo Custodio das Chagas; 12. João Antonio Dias; 13. Francisco Giorge; 14. Domingo Rafael Martinez, eldest son of the deceased Martinez.

There are four Brazilian women, viz. :—

1. Maria Elena de Carmo; 2. Benvinde Teresa de Jesus; 3. Leopoldina Teresa de Jesus; 4. Maria da Piedade do Nascimento.

There are other Brazilians, but all of less importance, and attached to the above-named.

The following nine are Africans, or Brazilian "liberados," almost all originally from Whydah :—

1. João Antonio do Rego; 2. Elisbão Lino; 3. Tobias Barretto Brandão; 4. Joaquim das Neves; 5. Damião de Oliveira; 6. Antonio d'Almeida; 7. José de Fonceca Muniz, son of the deceased J. C. Muniz; 8. Pedro Pinto da Silveira, *alias* "Pedro Cogio," well known at Little Popo—he has a son (Domingo Francisco da Silveira) attached to José Alfaiate of Whydah and Godomé; 9. Pedro Fillis d'Almeida.

There are others of minor note whose names do not merit mention.

It is gratifying to observe that this slave-trading community yearly dwindles. A *bonâ fide* blockade of the coast between the Volta River and Lagos would break it up in six months. Lawful commerce will require many years.

The people of Whydah are worn out with wars and customs, and many of them are flying with their wives and families to the adjoining provinces. Porto Novo, or rather Hwebonu, will soon become one of the most flourishing settlements in the Bight of Benin. The death of Soji, its King, reached Agbome on February 7, 1864, at a time when a Moslem mission was there. The succession at one time threatened to cause bloodshed, but it is now, I believe, peaceably settled in favour of a son of the late King.

On December 11, 1863, the royal messengers (two eunuchs, an officer called the Kakupeve, a guide, and sundry attendants, making a total of ten) reached Whydah, bearing the King's cane and compliments. Our hammocks required thirty bearers, our luggage fifty-nine. These were collected with some trouble, and on December 13, 1863, we left Whydah for the capital a hundred strong, not including servants.

I can add very little to my account of the road from Whydah to Kana, except that the distance was somewhat underestimated by me. I now find Kana nearer fifty-three than forty-seven miles. At Agbome, six or seven miles from Kana, the mean of four good meridian observations of Sirius gave 7° 10' 9" north latitude. Whydah beach being

in $6^{\circ} 19' 0''$ north latitude, we obtain a difference of $51\frac{1}{2}$ geographical miles. Being unfortunately not provided with proper instruments, I thought it useless to take lunar distances, and have to regret the omission. The meridian of Agbome, however, can vary but little from that of Whydah, $2^{\circ} 0' 0''$ east longitude (G.).

A second visit to Dahome has convinced me that this people, once so brave, is now cowardly as the generality of the West African maritime tribes. The reason is, that the old blood has been killed off, except in the royal family, and the present race is a mongrel mixture of captives and serviles. The women are the only regular soldiery, the men are a mere militia. I have no doubt that the latter are ferocious enough when they have surrounded an unarmed village, and one hearing their speeches would fancy himself in the midst of black heroism. But they dare not fire their guns from the shoulder; they cry bitterly at a trifling flogging; they groan and moan after an accident or at an operation; and such is their horror of the grave, that they allude to death by some such periphrase as "the tree is fallen." Curious to say, however, they have a Hades, called Kutòmen (Dead land), as circumstantial as that of the Greeks and Romans: when the King offers victims to his ancestors, the slain are supposed to find themselves immediately in a Swedenborgian world, the facsimile of the present. As a rule, those people are the bravest who have, or believe they have, the most exact idea of the futurity awaiting them. The Dahomians are an exception.

On the day after our arrival at Kaha, December 19, we were summoned to the King's levee. We first sat under a tree near the English house in an open space called Gbehun'lin (Bush-Bombax-Road), where the Bonugán (chief civilian officers), the military Caboceers and the Owutunun (body officers, eunuchs, and others) walked round us thrice, complimented us, danced, drank with us, and after many puerile ceremonies and great waste of time, escorted us in procession to the Palace. Our hammocks carried us three times round the walls; a large crowd, especially of Fetish men and women, clad in their best attire, looked on, welcoming us noisily. At 3:15 P.M. we were conducted with the usual state into the Kpodoji, or Palace-yard. At the farther end, under the normal, barn-like shed, was the King, backed by his wives: in the open air before him sat the "Amazons," emphatically a misnomer in the classical sense of the word. This inner court was a copy of the Palace exterior; the former, however, was furnished with female, the latter with male soldiery; and the two viewed together represented in miniature an encampment of the Dahomian host, headed by its monarch. The women, like the men, were divided into two bodies. That to the right of the throne was commanded by the Mingán-ess, Premier and Chief Executioner; the other to the left was under the She-men, Mistress of Ceremonies, and Ministeress of the Interior. These officers of both sexes are double, and each, besides his or her adjutant, has an inspector or spy. In Dahomey, it will be observed, unlike most other African Courts, women take precedence of men. Standing at a distance from the "Amazons," and separated by bamboos lying on the ground, stood a few of the principal officers, civil and military; they were the only male Dahomians in the Palace-yard.

Presently we approached the King, walking up the clear, narrow space between the two groups of squatting Amazons, whose burnished gun-barrels were pointed skywards, the stock resting on the ground. He rose as usual, descended from his earth-bench, shook hands and snapped fingers with us, and after the usual questions and answers ordered a salute. Her Majesty's Government was saluted with twenty-one guns, Captain Wilmot with eleven, and I with nine. I demanded two more; and when the timid interpreter (a Makhi slave, half-educated at Cape Coast Castle, and baptized "Mr. Beecham") could be persuaded to explain my words, the King at once ordered the deficit to be made up. This incident convinced me that it was necessary to learn the Ffon or Dahomian language. Many obstacles were thrown in my way, but at the end of six weeks I could understand all that was said, and the linguists found it advisable to translate my words literally.

Our chairs were then removed to the station of the male Ministers and Caboceers beyond the bamboos. We spent the afternoon under tent-umbrellas listening sceptically to what the warriors would do inside Abbeokuta. A deputation of Porto Novan Moslems was presented; they sat before the King, praying with uplifted hands, but never kissing the ground, wallowing or dusting themselves, as did the Pagans when addressed by or when addressing Royalty. At sunset we received rum, in token of dismissal, and were accompanied to some distance outside the Palace barn-shed gate by the King, who directed us to precede him on the morrow to the capital. He remained to judge some 150 Amazons, detected in illicit intercourse. This in Dahome, where all the women of the Palace are royal wives, is high treason, and the old travellers, Barbot and others, abound in horrible accounts of the punishments inflicted by the Kings of Whydah. On this occasion however only eight men, and I presume an equal number of women, were condemned to die.

Mr. Bernasko had tried to convince me that the King never kills women or children. A female corpse is never seen because the executions take place inside the Palace. Mr. Craft has, I believe, stated what Mr. Bernasko had told him. But nothing can be concealed in Dahome, and I soon learned in the morning every death that had taken place during the night.

On December 20, we left Kana, under the guidance of Bukonu Uro, the King's doctor, to whom the English visitors have been "given." The senior officials of Gezo's school contrasts badly with the junior of the present generation. The "landlord" is suspicious, covetous in the extreme, and, by habit, unable to speak the truth; he cannot divest himself of the old Dahomian idea, conceived probably in the days of the Asiento contract, that white men like all the natives of the country are *bondâ fide* the King's slaves. I found it a hard task to shake his faith in this tenet, but, individually speaking, my success was complete. It is, however, probable that my successor may have to do all the work over again.

Between Kana and Agbome, it is classic ground and the garden of Dahome. According to my aneroids and B.P. thermometer, the land rises between 400 and 500 feet, and old ridges show that the whole had at one time been under cultivation. It is now overgrown with gramineous, not bushy vegetation, and scattered with valuable plantations of the oil palm. This is the true wealth of the country and, under a Mohammed Ali, the produce might be quadrupled in five years. We dismounted at the "Bo" fetish houses that outlie the gate of the capital, and found the entrance adorned with a couple of skulls set in the clay on both sides. Remounting we traversed the most populous part of the town, which is in a ruinous condition and smaller than Whydah. After sundry halts for ceremonious and superstitious purposes we reached at last a wretched clay building (a cow-house far inferior to the lowest order of East Indian "bungalow") that rejoiced in the title of "English house." It became evident that the Dahomian King, unlike his more powerful and civilized brother of Ashanti, does not in person visit his guests.

On the day after our arrival the "landlord" began "palaver." The presents sent by Her Majesty's Government had been sent forward to his store-house. Coming in the evening with great mystery he informed me that it was customary to open them in his presence before sending them to the King. I refused on the ground that there was no custom in the case, his King having never yet received presents direct from Her Majesty's Foreign Office. I yielded, however, as far as communicating to him the contents of your Lordship's despatches, thinking to exercise a good effect upon the human sacrifices of the coming customs. The principal effect was, that the King, pretexting that he had heard the "message," kept me waiting two months instead of at most ten days.

The King made his ceremonious entrance into Agbome on December 21. We were summoned to sit before the south-eastern gate of the Komasi Palace before noon, when nothing was to take place till 4 p.m. Africans have no sense of or regard for time. In Dahome, those who have charge of white men would make interest with the King by causing their strangers to wait for the Royal appearance as long as possible in the hot air and the blinding dust. Finding them guiltless of the least regard to our comfort in this matter, I at once warned the Bukono that he must expect nothing of the kind from me: he was refractory; but after that day whenever kept waiting before the Palace beyond a certain time, I ordered our hammocks and departed. The King never found fault with this proceeding, and, as in many other points, he was probably kept in ignorance of our troubles. It was certainly not a dignified position for an English official, in full uniform, to sit opposite the tattered mud wall of a petty African Chief. I easily obtained permission to appear in plain clothes at all the fêtes outside the collection of thatched huts called "the Palace."

The minor Caboceers, each with his suite and umbrellas, first passed in review order round the open space before the Palace acting parade-ground. They were closely followed by the highest officers; then came the King, and lastly the rear-guard. The King went round six times with his men, twice in a red-lined vehicle, a mongrel between a cab and a brougham; during the third round the men who drew it raised it upon their shoulders. The same was then done with the bath-chair lately presented to the King. The women troops then appeared and carried their Sovereign four times round the square in a large yellow hammock requiring twelve portereses. The King usually passes round thrice; on this occasion he wished me to describe the scene at full length. Before his arrival he had ordered a broken card table and a wretched liqueur case to be placed before us, and throughout the custom he always supplied us most liberally. His Portuguese and other visitors have never dared to smoke and drink before him. I therefore resolved to show my sense of his courtesy by freely accepting it; we smoked when the King smoked, which

was nearly always, and I took care to distribute all the liquor to myself and followers. The attendants often informed us that they were expecting a new table and case from Captain Wilmot. They often charged me with commissions, but I refused from the first to book any, except those of which the King spoke in person.

The next day was a day of rest to the lieges, but not to us. The King was too impatient to see his presents. I went to the palace yard, and assisted by Dr. Cruikshank and the Rev. Mr. Bernasko, pitched the tent, which had made the voyage in good order. A few women officers were sitting under the shed leading into the harem. Presently the gifts were carried into the "Zenannah," and we were dismissed with a bottle of rum. Much disappointment was shown when the silver "belts" appeared instead of the "bracelets" mentioned by the King, nor could any one be made to understand why the expected carriage and horses had not been sent. I presently learned that the late King Gezo had taken a "strong name" ("nunkpweto"—"all-things-doer") after ordering out an English equipage, and that the son burns to emulate the sire's fame, caring little whether the horses die upon the beach of Whydah. I need hardly inform your Lordship that the sole object of the Dahomian King's civilities is to obtain presents; that unless valuable articles are sent it is useless to send any; that if those applied for are not forwarded, it becomes a grievance; and finally that a too rapid recurrence of these gifts robs them of half their value. The King did not express the least gratitude for the presents sent by Her Majesty's Government, nor indeed did he once allude to them.

On December 28, an early gun waned us that the grand Customs had begun. They are generically called "hwe-ta-nun"—"yearly thing," or "annun'gbomen"—"in (this) dry season (come to) Agbome." They are of two kinds, performed on alternate years. The "atto-hwe" or "platform year" is when the victims are cast headlong in porters' baskets from a temporary stand to be beheaded below. Its ceremonies have been hurriedly described by Mr. Norris (1772), Commander Forbes (1848), and Commodore Wilmot (1862-63). The "Sosin-hwe" or "horse-tying year" is so called because some of these animals (here rare and costly) are sacrificed with the human victims, and because the chargers of the officers are temporarily taken from them by a dignitary called "so-gan" or "horse captain." No one has as yet described its rites, of which the principal are the following:

Proceeding to the Komasi Palace, which was built by Gezo, we saw two long sheds in process of erection. The "market-shed," or that to the north north-east, resembled from afar an Anglo-African chapel; it had at the southern end a two-storied turret rising above the normal pent-roof, which was supported on posts, not on walls. To each post on the side fronting the palace was tied a man dressed in a long white night-cap with a blue spiral, and in a calico shirt with red patches; they were twenty in number. Their wrists and ankles were lashed to the pillars, they are released to sleep after dark; they are allowed an ample supply of meat and drink, and their attendants sit behind them. Being so well treated they think little of their position, stare at us, and beat time to any passing drum. It is the King's object to keep them in good humour, and to send them to his father with a good report of his kindness and generosity. I believe all these men were criminals or captives. The "palace-shed" at the south-eastern gate of Komasi House had but one story, and there also were nineteen men without horses, of which I had counted half a dozen lashed to the rear posts of the market-sheds.

Shortly after our taking seats in the usual place (the open ground to the south-east of the Komasi Palace, or that built by the late Gezo) the King came out with a host of Amazons, saluted his fetish with great ceremony, and shook hands with us: then began the labours of the day. The King, standing up in front of his women, and sheltered by the largest and gaudiest umbrella, addressed his subjects about the customs now to be performed in honour of his father's manes. He then danced before them, scattering over them by his dexter index the sweat of his brow, which they received as an honour, and played a certain measure upon a peculiar drum; then, taking a singer's staff, he solemnly saluted his father's spirit. The latter was supposed to be present in a cloth-covered mat-shed, somewhat like a two-poled tent, and built on the right of the palace gate. After much of this kind a high officer, called the "Ajoyá" (the "History of Dahomey" wrongly renders it by "Master of the Horse"), was created. The chief ceremonies were his investiture in a dozen long cotton cloths till he looked like a pouter-pigeon; the presentation of a virgin-white flag and umbrella, which he is expected to emblazon by his deeds, and the free gift of his predecessor's wives, slaves, and moveable property, all of which were brought from the palace. Then a minor Captain was promoted with the same display. The grateful but verbose speeches of the new men kept us till the night.

On December 30 was the fête, known as "Avô-uzu-gbe" ("cloth change to-day"). We repaired to the Hunjro market, on the north-east of the Komasi Palace, where the turreted victim-shed was. The market-huts had been cleared away, and opposite the

victim-shed (to which the men and horses were still tied) a cloth-covered mat-tent had been built for the King.

The ceremonies began in the afternoon. First, a procession of eunuchs, she-Chiefs, and women-at-arms, carrying 110 baskets of cloth bundles, passed before us. Presently the cloths were opened out and built up by the Amazons into a circular divan 12 feet in diameter, with a smaller heap by the side. At 5 4 P.M. the King paraded past upon a wretched garron, sitting *en Amazone*, and we mutually bowed. Having retired for a time to his tent, he came forth and ascended by a dwarf ladder the gaudy "avô-lilli," or cloth-pile; there, pipe in mouth, and holding various weapons, he danced a few paces of some thirty-two dances, to the uproarious delight of his subjects, of whom about 2,500 were present. This is the largest gathering we saw during the customs, and it proves the scantiness of the population. The Chiefs asked me eagerly if I had ever seen anything so magnificent. The King's most admired performance was with the skulls of three Kings, or petty Chiefs, killed during his reign, and at all levees placed on large calabashes to the left of the Royal seat. The crania belonged to Flado, an Abbeokutan Chief; Akiá'on, Caboozer of Taccow, near Porto Novo; and Bakoko, Governor of Ishagga, upon whose head is a detached drinking-cup of brass. Holding these handsome trophies in various positions, the King danced, drank rum out of the cup on Bakoko's head, and sent it round to us, saying that it was the skull of a villain who, after swearing friendship with his father Gezo, had refused water to him when broken with grief and fatigue. The dancing over, the King performed a few fetish ceremonies, shook hands with us, and remarking that it was dark, dismissed us.

The last day of 1863 was called "Bonugán nun kpon 'gbe di'e" ("the Bonugáns or High Ministers inspect all things this day"). The King received us before the Komasi gate, and the chief ceremony consisted in throwing cowries in strings and bunches to the lieges, who, great and small, stripped and fought for them with the usual violence, scratching and biting like true Dahomians. When this was done the King summoned Dr. Cruikshank, Mr. Bernasko, and myself before him, and threw the coin of the realm to us. We kept up the farce, without, however, the Dahomian peculiarities. Finally, the King approached the Royal victim-shed, and gave to the wretches bunches of cowries which were placed on their heads. At a hint I approached him, and telling him that mercy was the great prerogative of Kings, requested that he would pardon as many as possible. About half were at once released. Their Chief, the head man of a petty neighbouring place, had sent a derisive tribute of palm nuts instead of cowries; and these men had been captured in the attack which they had brought upon themselves, and for which, according to the custom of the country, they had made no manner of preparation.

The 1st of January, 1864, was called "So nan wen kan 'gbe" ("Horses will break rope to-day"). The animals, which at the beginning of the fêtes were taken from the owners by an officer called the "Sogan," or Horse-Captain, are now restored for a fee of one bag of cowries. The performance was dancing and singing of men and women troops, and long speeches about Abbeokuta. The two body-guard companies, "Fanti," of the women, and "Bru" (*i. e.*, "Blue," or English), of the men, had not allowed their King to build a wall round his father's grave, wishing to knead the "swish" with Egba blood, and this year the tomb must be finished. It was all the emptiest of brag; the King has never seen even the walls of Abbeokuta except when, as Prince, he saved his father's life, and never, I believe, will. It is hard to persuade one's self that he and his army do not know this; yet the subject never ended; it was introduced on all possible occasions, and at last the word became wearisome.

The night is technically called Zan Nyanyana (or "evil night.") Of these two at least take place during the Customs, and men venturing into the streets after dark lose their heads. The King proceeded to a hut-tent built near the Hunjro market-place, and at times the firing of a musket or the dismal beat of the death-drum told us that some human being's life had fled. I could not find out whether the victims are intoxicated before execution: it is highly probable, as the African's, and especially the Yoruban's object is to send these messengers to Deadland in the best of tempers.

On the next day at an early hour the King sent Prince Chyudaton to me with a message that none had been slain during the night except malefactors and his enemies. This left me no alternative but to visit the Palace. The day is called "Mínár Afunfun Khí Hunjro men Dáddá Gezo" ("We go to the little Mat-house in the Hunjro market for grandfather Gezo"). "Dáddá," or grandsire is the general title of the Kings, who are called in conversation "Dahome Dáddá," or "Grandfathers of Dahome."

Passing by the victim-shed in the market it was found untenanted, and nine deaths had taken place. The corpses were on two gibbets, and a similar number of scaffoldings. The gibbets were thin poles twenty feet high, with a cross-bar at the top. From one was

suspended a single corpse; from the other (which was close to our path) hung a pair side by side, head downwards, stark naked, with the privities removed so as not to offend the Royal women. The appearance convinced us that, contrary to what M. Gérard has insinuated, mutilation had taken place after death, and that these men, like the others, had been killed either by suffocation or with clubs, the ancient custom of the country. The scaffolds were composed of two perpendicular beams, more substantial than the gibbets, and roughly dressed, with two thick cross-bars for the support of the victims. One scaffold showed four, two above and two below; the other had half that number similarly disposed. All were seated on Gold Coast stools, decently habited in the criminal garb—long white night-caps and calico shirts. A few paces to the south-east of the Palace showed us the other victim-shed also empty. On both sides of the Komasi Gate was a little heap of decapitated heads placed on the ground with faces downwards, in double rows of three each, whilst each heap of half-a-dozen was surrounded by a broad rim of ashes to absorb the blood. The corpses had been thrown away (as the others will be) into the city moat, between the Komasi and Agbome Palaces. When the turkey-buzzard shall have cleaned them, the skulls will be appropriated by the braves, and shown as trophies of deadly combat.

The ceremonies began at 1 P.M. After sitting for some time in uniform outside, we were conducted into the Palace-yard, where a huge bell-tent called "Tokpon" had been pitched for the King and his female Court. Dr. Cruikshank was afterwards sent for to measure this article, and I was told to request that Her Majesty's Government would send out a new one. It was 54 feet in diameter, with a pole of about the same height, 24 smaller supports, like the former, of strong scantling, and 85 iron rods 4 feet high around the periphery to keep up the flap. It was native-made, and the outside of coarse stuff was decorated with blue serpents, crocus-coloured lions devouring men and beasts, dove-tinted turkey-buzzards, and other beasts so heraldic as to be hardly describable.

The ceremonies of the day began with repeated processions of Ministers and Captains, men and women, round the Palace-yard. They made their prostrations before the King, and at times wore cast-off European finery, which was the reverse of imposing. We saw the "display of the King's wealth." It comprised a few handsome pieces of silver plate, idols and images, principally figure-heads, some carriages fit for the Antiquarian Society, wheelbarrows, old State hammocks, huge French tricolours—the King sent to say that he much wanted some English Jacks of the largest size—death-drums and swords adorned with skulls, chairs and umbrellas hung with human jawbones, and similar treasures.

The chief part of the show was 703 women passing in Indian file before the King, and each carrying a flask or bottle of vile trade-rum to be distributed on that "glad night" amongst the subjects.

Nothing could be more African than the scene, in which only humanity presents aught of market value. The meanest of Indian Rajahs would blush at it, and the only point that made it remarkable was the mixture of tragedy with farce. In the procession was a screen, behind which walked the late King's "ghost." There were five old women in white, with black broadbrims, representing the "spirits" of former Kings, and of the mob of courtiers that bowed and shouted and danced before Royalty, many will not number a day after its death.

We did not escape before 6 30 P.M., after eight hours and a-half of heat, dust, noise, and puerile or cruel ceremonies. The King when shaking hands with us told me to come on the morrow. I excused myself on the ground of its being Sunday, and he at once named the next day. On his part there is no want of the lesser courtesies of life. Unfortunately his politeness does not extend to the more substantial displays.

The Royal Customs had now ended, and were succeeded by those for "Addokpon." Every Dahomian King has a double,—one visible and the Lord of the City, the other the unseen Lord of the Bush, and both have guards and palaces, eunuchs, wives, and the other paraphernalia of an African Court. The late Gezo's "doppelganger" was called Gámkpwe. His son's is Addo Kpon, meaning, "Behold the Addo!" (a "Popo" or quasi mineral bead said not to melt in the fire).

At 2 P.M. on Monday, the 4th of January, we again repaired to the Palace. The bodies had not been removed from the market-place; there were, however, no heads near the Komasi Gate. The ceremony was the usual salutation, singing and speechifying about Abbeokuta, and several men pranced before us with long stuffed tails. At last the King requested me to pay him the return compliment, of dancing, and I performed an Indian "nautch," which excited great applause. The King, wishing to learn it, sent sundry of his ballet-masters to our lodgings, but they soon left off disgusted with failure.

shank then danced in Dahomian style, and was loudly cheered. The Rev. Mr. Bernasko, seated before the King, performed on his concertina "Matthias," "Old Hundredth," "Job," and similar appropriates, carefully explaining their signification. To make the scene perfectly Hamitic, the King begged us to form a group, I nautching, Dr. Cruikshank dancing in African style, and the Rev. Mr. Bernasko playing psalms and spiritual songs. We were rewarded with singers' staves and ministers' necklaces of invitation, "popo-beads," and pig-tails; and we retired with the consciousness that we had done our best to *desipere in loco*.

That night was the "evil night for Addokpon." At 10 A.M. on the 6th of January we proceeded to the Palace. The ceremony is called "Bekpárnen 'gbe," which means "In the Bekpá (a mat fence surrounding a second large tent pitched in the Hunjro Market) to-day." The corpses, after hanging four days and nights, had been removed from near the market-shed, and eight others appeared in their places. Four were hanging nude from the usual gibbet, two were sitting clothed, on a scaffold, one above the other, and two were lying on horizontal planks on the top of poles, their heads protruding from salt-bags. The latter had suffered for robbing the King's salt. At the Komasi gate there were the normal two little heaps of heads, but this time almost hidden by palm branches stuck round them. These were all for the "Bush-King." We then entered the Palace-yard, and saw a display of Addokpon's wealth, in nowise differing from a previous ceremony, and we wearied ourselves till it was dark. After nightfall the King repaired to the market-place, and distributed dole to his subjects. He appears indefatigable, mentally and bodily, tires out all his Court, and appears never to be so unwell as to be absent from a ceremony. He has resolved, it is said, to work his subjects into complete subjection by wars and customs for ten years, of which six have now elapsed. After A.D. 1868 he will apply them to agriculture, and food will become so cheap that a man will live on a single cowrie per diem. Meanwhile the Dahomian dances and drinks, drums and starves.

The 7th of January was called "E ná ny'in han" ("He (will) pass the drum"), that is to say, dismiss all his musicians who are high officers and soldiers, to provide their rations for the coming war. The King set the example of dancing and speechifying, and was imitated by his subjects, male and female, in due turn as usual. At night the two victim-sheds were removed, and the market-place was cleared for a grand review.

The last fête of the So-sin Custom is called "So debwe," that is to say, "Thunder (i.e., gun-firing) to-day." The King had warned us that any officer appearing after us near the Palace would be mulcted. In this country white men have no reputation for manliness of any kind. All the Chiefs, except the crafty old Meu, who warned his brethren that we were "King's men," said, "They must bathe, and dress, and drink tea before they can leave the house; we need not attend till sunrise." I therefore took care to be at the Komasi gate before 5 A.M., and found but one Cabooceer present. As the others appeared we gave them each a glass of rum, and warned them that they would be reported to the King. At 7 A.M. the doors opened and Royalty appeared. We were at once summoned, thanked, and complimented, whilst a body of youths called "Donkwe people," sang a laughing-chorus and derided the tardy Chiefs. Amongst the latter was the Yervogar or Governor of Whydah, a Cabooceer of the old malignant school, to whom I was happy to read a lesson. After much singing, dancing, and talking about Abbeokuta, we were presented with cotton cloths: Presently a long string of women issued from the Komasi Gate, and carried cowries and rum-bottles round the square. These were presents given to us by the King; they must be shown to the world, whilst those given to him are carried by night into the Palace. The Royal largesse consisted of 20 heads (= 40s.), 20 plates full of cowries, and 10 bottles of rum. These, according to custom, were to be shared with the principal Chiefs, and distributed to the hammock-men. We were finally conducted home by the longest route, that men might see the Monarch's magnificence. It was the normal negrotic medley of misery and ostentation.

At 3 P.M. of the same day we went to the Hunjro market-place to see the "thunder." The scene represented the host of Dahomey on the march. There were two advances, the first of men, the second of women. In both a vanguard, some of them in green palm-leaves for bush-fighting, skirmished in front, whilst the rear-guard, following in open order, turned to the right-about, knelt, and fired,—a practice evidently learned from the Portuguese. In the midst was the Royal escort, not exceeding 500. The King passed and re-passed before me (Dr. Cruikshank was laid up with fever) on horseback and on foot, firing muskets and carbines, which were exceptionally lightly loaded. After he retired a multitude of Fetish men and slaves carrying images and idols heralded an advance of the "Amazons," with their Monarch. Again the King fired, danced, and coming up to my umbrella, took my wrist, and drew me out to perform with him a Dahomian war-dance called "Hun gán" ("the big drum"). He then sat under a shed whilst the Cabooceers, and

lastly the great military officers, as the Gau or Commander-in-chief, the Pawsu (Poosoo) who leads the left wing, and others, defiled before me, firing and cheering with more than usual noise. I was not sorry when the sun set; the smoke hung low, and a furious harmattan reminded me of the desert storms of Sindh.

The delinquent officers were detained all night at the King's gate till 5 P.M. on the next day, when a tornado of wind, thunder, and rain was an excuse for dismissing them. They were fined, however, in rum and cowries, and when I interceded for them the King informed me that he had no power to alter the law of the land, that Darius-like he can bind but not loose. Thus ended the Sosin, which gives a name to the Customs of 1863-64.

The next ceremony was the Sin Kwáin, or "Water Sprinkling" (the graves of the old Kings and their mothers). All are buried in the Agbome Palace. The King, however, at intervals of a few days visits in turn the six royal houses, or rather ruins, and performs there a second rite. We were not invited to attend, the King being probably little desirous that we should see the wretched condition of his forefathers' abodes. The ceremony was described to me as follows: There is a more simple "outside" rite which has been witnessed by Europeans and mulattos. The Monarch and his Ministers kneel before the tomb or the cenotaph. A Tási-no, or fetish woman, of royal blood addresses the "spirit," praying it to grant health, success, and long life to its present representative. She then pours rum and water upon the grave, and offers men and women; bullocks, goats, sheep, fowls, ducks, and pigeons by cutting their throats, and allowing the gore to fall upon the last home of the deceased. The dead animals are then cooked to "spread a table" in honour of the dead, and all feast upon the flesh. On January the 19th the King returned with great noise and firing to his father's Palace of Komasi, and thus ended the watering of the spirits. From two to four victims are killed over each grave; sometimes they are kept alive to perform its service till death. Without these ceremonies the King cannot go to war, and his people would deem it sacrilege if such preamble were omitted. Usually he stays five to six days at each Palace, but he is manifestly hurrying over his ceremonies; moreover, he seems to take pleasure in slightly altering the ceremonial of his father Gezo.

During one of these displays a musket burst and shattered a soldier's left hand, the thumb hanging by a flesh-strip. Dr. Cruikshank, who had lately excised a tumour from an "Amazon's" forehead, when applied to proposed amputation. The King showed interest in the man by sending many messengers, and asked if we had any medicine to make him insensible. When he learned that we had no chloroform, he determined that nature unassisted could not endure such an operation. The wounded man was given over to the Bukono for "Conservative surgery," and died a few days afterwards, probably from excessive suppuration. Another man came to our quarters after shockingly burning himself by his bandoleers blowing up: we could not discover what became of him. Neither of the men showed any fortitude, the woman did.

When the "spirit-watering" was over began the "Agbán die 'gbe," or "table-spreading to-day," which fête includes the "musket-firing to Whydah." We repaired to the yard of the Komasi Palace at 2 P.M., January 20th, and sat listening to songs and speeches. At 4.25 P.M. appeared in campaigning costume a small body of warriors, men and women, returning from a petty expedition to a town called Tábatán. They deposited on the ground fifteen little mat bundles, which, when opened before the King, proved to contain human heads, three being those of women. Twelve prisoners, "with names," were led in bound, and were placed kneeling before the "presence." One of them was "Eddon," the chief, another was Doicha, his brother. They will certainly be killed at the next year's customs for tampering with Abbeokuta. Then about the same number of women were presented—one had borne a child on the march—and were led by their hand-cords into the harem. Five Dahomian soldiers who had committed military offences were brought forward for punishment. Then, after much drumming and noise, the King bought the skulls, paying for each 2s. in cowries. The live captives, large and small, fetched from a minimum of 2s. to a maximum of 5s. The praiseworthy soldiers were rewarded with cloths and cowries, the lucky captor of the village chief receiving the value of 1l. 16s. When this was over I was called upon (as was Commodore Wilmot) for largesse to the troops, especially to those of my "company," and I gave 100 dollars to the women and 50 dollars to the men. The King harangued his subjects upon my generosity, and dismissed us with a request that I would return on the morrow and address the troops.

The next day saw us in the same place at 1 P.M. After long singing, dancing, and distribution of gunpowder for the "firing to Whydah," I was called out. Seeing how common were accidents caused by overloading, I took a musket from one of the "Blue Company," and showed the owner how to place the left hand near the trigger-guard. The King objected that soldiers even in "play" must run some risk, which preserves courage. I

then, by passing a knife-handle into the muzzle—our original bayonet—converted a useless into an effective weapon, whereupon the King remarked that his men were expected to conquer their enemies not with guns but with hand-to-hand weapons. I never saw men less likely to do it, but thought it advisable to say no more. The King naturally believes his own army to be the finest in the world. The *séance* concluded with a little pleasantry touching the gross vaunts and boastings of the men, and the comparative modesty of the women troops. This is ever a welcome topic in Agbome.

After three days of rest we were again summoned by the King at 9 A.M. A harmattan wind was blowing more dust than an Egyptian khamsin. This time we went to the "Jegbe" house, distant about a mile and a half from our lodgings. It is a mere inclosure of palm-leaves in the plantations to the south-east of the city, and it will not be built of clay till the King is solemnly installed, according to the custom of his ancestry, at the mother-town of the race, Allada. During the last years of his father's life the actual ruler resided here retired from Court, disliking French innovations. He was not the eldest son; the Monarchy in Dahome is to some extent elective, and the reactionary class was still powerful. Hence his being pledged to slavery, sacrifice, and fetishism.

At every 200 or 300 yards were built little huts of palm leaf, like those composing a Dahomian encampment. Between Agbome and Whydah they number about 880, and they represent an amount of labour that would repair all the tattered walls of all the palaces. At 11:30 A.M. we entered the Court, which was as usual a parallelogram, and saw at the further end a pavilion prepared for the King and his feminine suite; it was covered with the brightest damasks and velvets, and was provided with two similar wings. The Chiefs were in their normal place, the side near the entrance, and the sexes were divided by a double line of cowries disposed in pairs upon the ground, and enabling certain officials to count the shot, and thus to announce when the fire would return from Whydah. All present were in Court attire, wearing principally large-caped cloaks of red and yellow silk and satin. There were three Portuguese mulattos from Whydah, who had arrived at 10 P.M. last night, and had been sitting in the palace breakfastless since 6 A.M. The servility and timidity of these "Europeans" are conspicuous in every act; none dared ask leave to retire for a few minutes.

At the word "ádeú" ("addiv") the two musketeer women before the Throne fired, and the discharge went to and returned from the Komasi Palace in three minutes. Thus the King obtained his father's permission and directed the firing to Whydah. The rude telegraph was a complete failure; it did not return to the capital till after treble the usual time, which is three quarters of an hour. This "play" was the invention of the late Cha-cha, De Souza, who conceived the bright idea of sending a cigar from the coast to Dahome in the shortest possible time. African Kings are all greedy of novelty, their materials are scanty, and the smallest of surprises are gratefully received.

After the firing the soldier Chiefs were summoned to "swear" before the King, that is to say, to boast of what they would do to the Egbas, and of the 40,000 followers each man would bring into the field, well knowing the while that 400 would be the maximum and exceptional. Lastly a large quantity of provisions, especially barbecued pigs educated in the Palace, were disposed upon the rude deal tables that were scattered about the yard. After sunset all receiving their portions returned home to a full feed. This is what is called "spreading a table" in honour of one's forefathers.

On the 26th January I again attended at the palace. The chief military officers being absent were summoned by the King, who directed against them a "laughing chorus," and a general cry of "E gbweli!" ("He is a fool!") A few days afterwards he had them turned out of the yard under circumstances of the utmost indignity, the women troops attacking them with bamboos; their offence was, not living within a few minutes' hail. On this occasion war was declared by handing a leather case of rum to the Gau or Commander-in-chief, who hanging it round his neck bolted out of the palace with the welcome news to the outsiders. Two days afterwards the firing concluded with sending down to Whydah a pair of slave girls as wives for the Cha-cha and for José dos Santos, the Brazilian merchant. The women dressed as "Amazons," with men's straw hats, were in hammocks, and would not be allowed to leave them till their destination was reached.

Seeing no prospect of immediate dismissal, I redoubled my efforts to reach the beautiful and healthful mountains of Makhi (Mahee), which rise in sight of Agbome. The King put me off with a variety of unplausible pretexts, and at last flatly refused. His father wished to open the country; he, on the contrary, is determined to close it. I also repeatedly applied for a private interview, but the jealousy of the Ministers was an effectual obstacle.

We had now been nearly six weeks at Agbome living in a kind of State prison, and my "message" from Her Majesty's Government had not been delivered. I therefore,

after due deliberation, informed the King through the "English landlord," that until some notice should be taken of the commission with which I had been honoured, I could not attend at the palace.

For some days nothing was said; the King was too much occupied with a new plaything (a "gong-gong," or African cymbal, somewhat larger than usual) to think of anything else. At length, on the 12th February, 1864, we were twice visited by the Adánéján, a Minister of Royal blood, who led me into an inner room, and with great mystery tracing lines upon the floor, asked me many a question about Abbeokuta. The King's personal courtesy to me deserving some return, I traced a rude plan of the Egba capital upon a sheet of paper, and strongly advised that unless his present force were at least doubled he should not be permitted to cross a river so fatal to his father. Adánéján departed declaring that we should be "passed" to-morrow, and carrying off (as token that he bore my message to the King) a bowie knife which he had long coveted, and which he forgot to return.

At 2 P.M. on Saturday, the 13th February, a message from the Bukono bade us dress in hottest haste and repair to the palace. He deceived me once more, and for the last time: we were kept sitting in a kind of simoom for four hours. I resolved therefore to speak plainly to the King upon the subject of our treatment.

At 6 P.M. we were admitted into the Jegbe house. Passing through two mat-fenced courts, we found in a third the King, sitting under an ordinary shed with coloured calico round the posts; four white and two variegated umbrellas formed a kind of verandah, and outside there was the usual circle of white sand for "court powder." The reception was private; a few wives were sitting behind the King, and the only Ministers present were the Meu, the Adánéján, and the "English landlord." The prostrations were slight; in fact there was none of the ceremoniousness displayed at great public meetings.

After we had bowed the King rose and shook hands with us. On returning to his seat, a Lagos cot covered with fine cloths and mats, he perceived the constraint of my manner, and inquired the reason. I replied that there was no complaint against the King, but that his officers had not done well in retarding the delivery of an important message for two months. This was excused on the ground of occupation, and that the substance of the "message" had been at once delivered. My next grievance was that, unlike Messrs. Dickson and Duncan in King Gezo's day, we had not been permitted to visit the northern country. The King ingeniously rejoined by asking if anything about travelling northwards was in my instructions, and when answered in the negative, declared that if I had brought orders from home no obstacle would have been placed, which, to use the mildest term, is not the case. Finally I complained that we had been living in a kind of prison for two months; that all visitors had been jealously kept away from us; that we had been subjected to all manner of petty annoyances; and that even on the present day we had been broiled for four hours in the sun, a custom unknown to civilized people. The King, as I expected, had never heard of our tribulations, and appeared much surprised. Despite all his spies the Ministers if unanimous can conceal much from him. To change an unpleasant subject, he bantered me about keeping the Bukono's slaves in order with the stick, and directed me to read my message. All these personal matters were discussed on his part with perfect good humour.

I then took up your Lordship's despatch of August 20, 1863, and read it paragraph by paragraph, carefully listening to the interpreter. I took nothing from it and added nothing to it.

The message was heard with few interruptions from beginning to end. When the reply was given I perceived that the King and his Ministers could not, like many Africans, "pick up the words," that is to say, reply sentence by sentence. The answers were in the old stereotyped form which appears in the "History of Dahome" nearly a century ago, and which was last recited to Captain Wilmot.

"The Slave Trade," said the King, "was a custom of his ancestors, established by white men, to whom he would sell whatever they would buy. The English (who after greatly encouraging the export had lately turned against it) might purchase palm oil and cotton, the Portuguese slaves. Palm oil is not to be relied upon; some years show a great scarcity. I had seen his expenses, and they could not be kept up by a single item of commerce. Moreover the customs of the country compel him to go to war, and unless he sold his captives he must put them to death, which England would like even less."

"The English," he resumed, "were the best friends of his family, and one of his ancestors had sent his own son to England, and thus they had learned to love her." He then alluded to the reign of the fifth King, Tegbwesun, the "Bossá Ahadu" of our histories, who reigned A.D. 1730-74. In those days the white man "Ajángán" taught Dahome to make war with field pieces, and thus she was able to conquer the strong

country of Zá. (Captain Wilmot, despatch &c., p. 13, seduced probably by similarity of sound, conjectured Ajángán to be Mr. James; it was Mr. Goodson, who was Governor of the English Fort Whydah about half a century before Mr. James.) "The road to amity had been closed to his father and re-opened to himself through the exertions of the Rev. Mr. Bernasko. Her Britannic Majesty and Dahome were now like one finger." He directed me, however, to write home that whereas cruizers formerly never touched slavers, the latter were now captured near his beach. This, he said, must not be repeated; slavers have often orders from him on board.

Here again was the evil work of the Caboceers, and the King had learned his lesson but too well. A counter-demand is a favourite African form of refusal. Before putting this outrageous demand on paper I requested to be heard, and permission was granted. I told all present that Great Britain had paid large sums to many nations for the right of searching slavers, that if the King sent his own ship he could claim the same rights as others, but that all European vessels are exposed to be visited. Moreover, that even in war a three-mile offing annuls the protection of a neutral territory. No reply having been prepared for this statement, all were silent for a time, and could only direct me positively to write down what the King had spoken. I had only to express my regret at becoming the bearer of so unworthy a "message," which would greatly disappoint the British Government and people.

Upon the subject of sacrifices the King declared that he killed only ill-doers and war captives, who, if they could, would kill him; that his own subjects were never victims; that there had been great exaggeration in the reported accounts sent home by his foes; that he had told all this to Captain Wilmot and so on. These are in fact the old arguments of the last century, and they are not true. The opening pages of this report will place the subject before your Lordship in its true and most repulsive light.

When asked if there was aught to say, I observed that the worst use to which he could put a man was to kill him; that Dahome wanted not deaths but births, and that men mostly follow the religion of their princes. It was, therefore, for him to set the example of reducing the number of his victims. And finally I protested strongly against his mode of displaying his victims; that it was disgusting to an Englishman to see mutilated and naked corpses hung up by the heels and left for three or four days in the sun. The King had never heard so much truth in his life. My plain speaking was not well received, nor could I expect that it would be. The Rev. Mr. Bernasko thanked me aloud.

The King passed next to the subject of an Agent at Whydah, and adroitly shifted the case into granting a permission, instead of receiving a favour. He also stipulated that such English resident must be a "good man," who would write well about the country, cause no palavers, and prevent the captains of Her Majesty's ships capturing slavers near his shores. When I asked if the Agent would be liable to be summoned at any moment to the capital, condemned to live in the "Bukono's" house, and to sit for hours at the King's gate, the King carelessly replied "No" in a tone which to me meant emphatically "Yes."

With respect to the Christians captured at Ishagga, the King declared that they were no more, and renewed the protestations made to Captain Wilmot.

I was quite disenchanted by this "message" scene. It became evident to me that the King, so far from desiring to consult in any way the wishes of Her Majesty's Government, is firmly resolved to ignore them.

Ensued a desultory conversation. The King seemed to forget the carriage and horses, and asked me if Dr. Cruikshank had taken the measure of the Tokpon tent, to which I replied in the affirmative. I then requested that the boys of English Town, Whydah, might attend the Wesleyan missionary school. He had given a half promise to that effect when Captain Wilmot was here. Now, however, he openly declared that when negroes learned to read and write like white men they could not be taken to war; and upon my objecting to this view he directed me to "let it pass;" in other words, to change the subject. I complained that the people at Godomé, who had broken open my boxes last year, had not been punished: moreover, that lately an English subject, Mr. Henry Bannerman, had been beaten, stripped naked, imprisoned in that state, and robbed of his watch and of seventeen dollars by Posukpá the Caboceer of that town. The King answered very naïvely that he had never heard of Posukpá; and that if he had not been present he certainly never would; and that inquiry should be made. I explained that nothing would be done. I particularly commended to him Mr. Bannerman, an agent to the "Company of African Merchants" newly established on the coast, and showed how advantageous would be the presence of English traders in Dahome, where the highest prices are now paid for the meanest articles. (At the time I had not received your Lordship's despatch of December 22, 1863.) The King promised every assistance to the new Agent, who has, I think, undertaken a task far beyond his powers. My last question was what name the King wished to

bear in England, where he is still known by his princely name Badohun ("The bamboo poles the canoe"), and which no one here dares to mention. After much whispering, his Ministers said in my ear "Gelele" (pronounced Gélélé, not Glele or Glery).

Already 8 P.M. had sped when the King declared the *séance* over. He told me that if I was no longer angry with him we might drink together; I again denied bad feeling in his case, but told him that I could not say the same about certain of his *entourage*, and that I deeply regretted not been the bearer of a more satisfactory message. We stood up and pledged each other in gin and liqueurs. No noise was made on this occasion, the Ministers contenting themselves with kissing the ground. The King then rose, conducted us outside the palace, smoking as usual, and after 200 yards stood, shook hands, and snapped fingers with us, and bade us adieu, exhorting a speedy return.

On the next day (February 14) we prepared for departure, looking in vain for the porters promised to us by the King. As sunset drew near the Bukono, Adaneján, and sundry eunuchs and slaves, entered our compound, manifestly bearing the wished-for "pass." They sat down before the verandah of our shed, and we went out and received the gifts standing. Those sent to Her Most Gracious Majesty are a counterpane or cloth mat by Adaneján and another from the Bukono's house, a huge tobacco pouch and travelling bag (both of leather), and two half-starved slave boys. Two unstuffed cushions were afterwards forwarded to Whydah. I have seen these articles packed and directed to the Foreign Office, which they will reach by this mail; the boys are at the Consulate, Fernando Po, awaiting orders.

To Captain Wilmot were sent a cloth and a boy; I left them at the English fort, Whydah. I received a tobacco pouch, two cloths, and a boy; the latter is also at the Consulate of Fernando Po. Dr. Cruikshank was presented with two cloths and no boy. The Rev. Mr. Bernasko, the interpreter Beccham and Thomas (the former's eldest son), received counterpanes of a very inferior quality. To the hammock-men were distributed a few heads of cowries and bottles of rum.

A final private conference was then called for. I repeated in even stronger language all that had been said to the King; pointed out that not a shade of concession had been made to Her Majesty's Government; warned his two confidants that in this way—by their fault—friendship would not endure, and particularly commented upon the demand for the immunity of slaves near the Dahomian beach. The landlord could only declare that his King thought much of this absurd claim, and when I repeated your Lordship's words that the end of slavery in the Bights of Benin is near, he cunningly asked me if the Royal request could not be granted till that time. I laboured vainly to convince them of the preposterousness of the demand. Finally I was requested to return after about ten moons, when the Atto-ton-hwe, or Platform year ceremonies, will begin, and above all things to bring with me tent, carriage, and horses. I sent back a message to the King that I would not pledge myself to anything, either to return or to bring presents, and that all must depend upon my orders from home. Wishing to soften down any asperity which my plain-speaking might leave in the minds of my auditors I took a friendly leave of them, and sent them a handsome present of cloth.

On February 15, 1864, we left Agbome. A departure from that capital is always unpleasant, and this was the most uncomfortable, owing to the want of porters, and the mad hurry with which every one hurried to the coast, of any African march that I have yet made. We chose the toffo, or western road, through a country still beautiful, but decaying in the fatal grasp of Dahome. On the morning of the fourth day we were informed that Whydah was in ashes. Pushing on in hot haste we passed through volumes of smoke, and were fortunate enough to find the English fort unharmed.

The fire began about noon on February 17th, near the house of the late M. J. D. Martinez, and ran westward, destroying the house of the Cha-cha De Souza, who nearly died of rage. The loss of the French factory was severe; the Portuguese fort, held by the fathers of the Order of Jesus, happily escaped. The conflagration re-commenced at 8 P.M. of the same day, and about 10 A.M. of the next day it again broke out, sweeping away the largest market. On the 20th February there was a third fire, making three in four days. From sixty to eighty people lost their lives, about 200 were wounded, thousands found themselves without lodging, and, though the roads were stopped, numbers were about to leave this modern "City of the Plain."

I remained at Whydah till the departure of Her Majesty's ship "Jaseur," Captain Grubbe, the cruiser appointed by the Government, and Senior Naval Officer to carry me on an official tour to the "oil rivers" of the Bights of Biafra. On February 26, 1864, after thanking Dr. Cruikshank for his able and efficient assistance, and after taking leave of the Rev. Mr. Bernasko, I bade adieu to Whydah.

I trust that I have maintained with becoming dignity the honour of my country, and have told the King of Dahome truths which he will not readily forget. Hoping that my proceedings may be approved by your Lordship, I have, &c.

No. 20.

Consul Burton to Earl Russell.—(Received June 11.)

(Extract.)

Fernando Po, April 15, 1864.

I HAVE the honour to forward the following observations, the result of many visits to the line of coast included in this Consulate, and to express a hope that they may be deemed worthy of perusal.

The Consular jurisdiction of the Bight of Mafras, popularly and erroneously called "Biafra," begins at the north from Cape Formosa, which is probably the gentle projection bisected by the Nun or direct Niger embouchure in north latitude $4^{\circ} 21'$, and east longitude $6^{\circ} 5'$.

Its southern limit is Cape St. John, in north latitude $1^{\circ} 10'$, and east longitude $9^{\circ} 18'$. The direct extent may be laid down in round numbers at 480 miles (geographical), and at the present period it contains six large and six small centres of trade.

The former beginning from the south are—

1. The Cameroons River.
2. The Old Calabar River.
3. The Bonny River.
4. The New Calabar River.
5. The Brass River.
6. The Nun or Niger River.

The latter are :—

1. The Benito River.
2. The Campo River.
3. Great Batanga (Stations).
4. Little Batanga River.
5. Malimba River.
6. Bimbia River and its dependencies.

I have not yet been able to visit the countries south of Batanga, and therefore I can speak of them only from hearsay.

The most southerly is the Benito River, twenty-eight nautical miles north of Cape St. John.

The houses now trading there are—

1. Messrs. Taylor and Laughland, of Glasgow.
2. Messrs. Francis Wooky and Co., Taunton.
3. Messrs. Bruford and Townsend, Bristol.
4. Messrs. Hatton and Cookson, Liverpool.
5. Messrs. Gazulla and Co, (Spanish house established at Fernando Po.)

The articles of trade are gum (elastic), wax, ebony, red wood, and a little ivory.

On the Rio Campo shore no factories have as yet been built, and the people appear rude and disposed to be violent. Ships beat up the coast as far as Banji, where there are two factories dependent upon the Batanga.

These belong to—

1. Messrs. Taylor and Laughland.
2. Messrs. Hatton and Cookson.

At this place ivory is the chief article of export. A little oil is also produced.

In my letter of the 27th September, 1862, I have described a visit to Great Batanga and its future sanitarium, the Elephant Mountain.

The houses now trading at Great Batanga are—

1. Messrs. Taylor and Laughland.
2. Messrs. Hamilton and Brown.
3. Messrs. Wooky and Co.
4. Messrs. Bruford and Townsend.
5. Messrs. Hatton and Cookson.
6. Messrs. Lucas, Brothers, of Bristol.

The West African Company is also expected to establish itself here.

The traffic of Great Batanga is confined to ivory. The country around is rich and plentiful, but the curse of rum is upon the people who were rather a superior race.

Tusks are exchanged for a great variety of "big tings," a well assorted cargo. Twenty-six articles have been given for 22 lbs. ivory.

The present prices are as follows :—

One dollar = a kettle, or 1 piece romall, 1 piece chilloe, 1 gallon rum, 1 bottle gin, 45 leaves (15 heads) tobacco.

Two dollars = a brass Neptune (which appears to be the standard of value), or a fine Madras kerchief (Nos. 1 and 2.)

Three dollars = one piece (18 yards) of satin stripe. Royal check rules about 50 cents more.

Four dollars = 1 trade gun; with these articles, however, "totoki" or "things for top" must be added. Each gun has either a silk umbrella, a satin hat, a flushing jacket, a 3-gallon jar, a shirt, a long sword, or some similar article. Childrens' toys are much appreciated.

Little Batanga or Lonji lies half way between, or about thirty miles equidistant from Great Batanga and Malimba. There are three petty factories :—

1. Messrs. Workey.
2. Messrs. Hatton and Cookson.
3. Messrs. Bruford and Townsend.

It is said that Messrs. Taylor and Laughland will establish a factory there when they shall have made a satisfactory arrangement with King William of Great Batanga, to whom the ground belongs. The surf at the river bar makes the place very dangerous. The land, however, is apparently high and far healthier than Great Batanga, which bad water and malaria render deadly. At Little Batanga there is no ivory, but palm oil only.

Nearly thirty miles north of Little Batanga lies Malimba, or, as the word should be written, "Balimba," being the plural form of Molimbo. The houses trading here are—

1. Messrs. Hatton and Cookson.
2. Messrs. Bruford and Townsend.
3. Messrs. Lucas Brothers.
4. Messrs. Wookey and Co.

The factories are built upon a sand-spit of the beach. The "Chief King," Pass-all, lives about twenty miles up the Boria or Malimba River, upon which there is said to be a cascade some fifty feet high. The place is infamous for landing, and at most times during the rains impracticable, the rollers breaking five to six miles outside.

There is a creek entrance from the Cameroons River reported as 16 miles long, with a portage of about 400 yards, and it might be made useful when hostilities are not anticipated.

The natives of Malimba are troublesome, and the sickness on board Her Majesty's cruisers "Griffon" and "Bloodhound" has prevented my hitherto visiting this post. I would submit to your Lordship that traders who knowingly place themselves in positions where life and property cannot be protected without danger to the officers and men of Her Majesty's cruisers should be informed that they must not rely upon receiving armed protection. This would soon clear Malimba, and the oil would find its way into the Cameroons River.

Nine miles beyond Malimba lies the river of Great Cameroons. It is perhaps the most troublesome place on the coast. The houses now trading in it are—

- | | | |
|----|---------------------------------|-------------------------------|
| 1. | Messrs. Horsfall, of Liverpool, | paying "comey" to King Acqua. |
| 2. | " Ashmall, " " | Priso Bell. |
| 3. | " Sill and Co. " " | King Bell. |
| 4. | " Hatton and Cookson " " | King Bell. |
| 5. | " King and Co., of Bristol " " | Bonny Bell. |
| 6. | Mr. Lilley, of Liverpool " " | Priso Bell. |

In October, the dead season, there were from 150 to 200 white men in this river. From February to July, the working time throughout the coast, the number may be double.

Of the houses above-mentioned, only one agent, Mr. Lilley, has a factory on shore. I have not visited it.

Since my arrival on the coast I have repeatedly urged upon the agents and supercargoes in the Cameroons River the necessity of a Court of Equity. All signed the agreement, but no one adhered to it. The late fall in the price of oil has compelled them to come to some understanding, and trade does not flourish because the "bushmen" up the country cannot comprehend the present reduction of prices.

In this river oil is sold by the "crué" of 12 wine gallons, equal to 10 imperial gallons

and the present price is 2 "big things" (a neptune, a gun, or a quarter-barrel of powder, worth 1*l.*) per "crue," raising the ton to 17*l.* to 19*l.*, and the gambling dishonest system of trust is still in force.

There are other causes of confusion in the Dualla or Cameroons country, namely, the position of the native Chiefs, the white and black missionaries, and the presence of Sierra Leone and other liberated men.

The river has no King. Each man is a kinglet in his own house, and all except the first named are wretchedly poor.

The following are the most powerful:—

1. King Bell, alias Bonny Bell, lives on the left bank of the river below the mission house in a frame-work tenement, well built, and furnished from the spoils of the last captured slavers. He neither drinks nor smokes, and he is perhaps the best man in the river. Were the traders unanimous he would at once become "Chief King."

2. King Acqua (more properly Kwa), who is building a wooden bungalow above the mission house, which he is supposed to, but cannot, protect. He dresses like a "god-man" (opposed to a "devil-man"), and behaves like the latter.

3. John Angwa, whose village is behind the mission house. He has at times defended the inmates, but his only connection with them is having married one of the school girls.

4. Priso Bell, who lives on the west bank at old King Bell's, on Hickory (originally "Niggery") Town, behind Mr. Lilley's factory. He is perhaps a little less intelligent than his rivals.

5. Charley Dido, and other members of the Dido family, inhabiting the left bank of the river. The first mentioned is a drunken sot, and a conservative in local mal-practices.

Each of these "Kings" has his English trader, who must support him at all "palavers." I have therefore proposed during future official visits to see the Chiefs and the supercargoes at different times before holding any general meeting. The personal animosities resulting from the present rivalry are increased by the sanguinary custom of the river, which I have before described to your Lordship. Human sacrifice, after a great man's death, still continues to take place despite all Treaties. There have been several cases of late, and without the absolute concurrence of the traders there is no way of punishing the outrage on humanity except by killing them. It is vain to fire upon the pauper negro huts and to destroy perhaps an old woman or two, whilst in a "trust trade" to fine the native is to take the money out of his creditor's pocket. A Chief called "boy" by a rival must kill some member of the latter's tribe, and here, as elsewhere amongst barbarians, *lex talionis* is the highest expression of law. "Chopping oil," i.e. forcibly seizing a recalcitrant debtor's property, is the natural concomitant of a "trust trade," and Africans, like others, will not peaceably give over their goods.

The presence of the missionaries is another source of trouble. These employés, who are almost invariably of mechanic origin, come out to the country at an early age, and settle for life in comfort, if not in affluence, going home to marry and bringing out their families. They learn the native dialects, and are consulted by the people when legal defence against the violence and arrogance of the European is required. On the other hand the missionary, who boasts that he "has the stand-point of Archimedes," must in duty oppose the customs of the people, their sacrifices, their wars, their polygamy, and their system of slavery. He will strain every point beyond the limits of the most elastic conscience to protect, to shelter, and to secure the escape of a fugitive servile. Of late there have been several outrages on the mission, and I cannot arrive at the truth of the matter. Jim, alias Young Priso, charges the missionaries with holding at Victoria, their station, the daughter of one John Smith, his fugitive slave.

Mr. Saker, the principal of the mission, declares that he advanced money to the said John Smith for purchasing his and his children's liberty. On the other hand there are no witnesses to the transaction. The Chiefs of the river never heard of it, the white traders equally ignore it, and even the missionaries rely only upon Mr. Saker's word.

Not including the Bimbia and Victoria out-stations, there are four Baptist establishments in this river,

1. The mission house at Acqua's Town, held for Mr. Saker by MM. Robert Smith (white) and Fuller (Jamaican Mulatto), both married to white women.

2. The Acqua Town mission on the left bank, is held by Mrs. Peacock in the absence of her husband, gone home (both white)

3. At John Angwa's beach, held by Peter Dido (black) for Mr., Mrs., and Miss Diboll (whites).

4. At Priso Bell's Town on the right bank of the river, to be under Mr. Fuller.

The total number of natives in these establishments may be a hundred, of whom a

third are adults. They dress in a quasi-European garb, but I regret to add that they show as yet, very little, if any moral superiority over the heathenry.

Another, and an ever increasing evil in all these rivers is the immigration of Sierra Leone and other liberated men. They have generally made their homes too hot for them, and if not the refuse of home produce, their "loafing" style of life here renders them harmful. They call themselves merchants, and they do peddler's work. They profit by promoting dissensions between white and black, and they preserve the peculiar independence of manner which distinguish them in their own Colony. The Gaboon traders are naturally desirous to be visited monthly by the African steam-ships; but they prefer irregular mails to being swamped by a torrent of these Sierra Leone merchants.

There have been as many as nine vessels (including three hulks) in the Cameroons River. During my last visit on board Her Majesty's ship "*Jaseur*," Commander Grubbe (in March 1864), there were the six following:—

1. Barque "*Runnymede*," Messrs. Horsfall.
2. Barque "*Elizabeth Emily*," Messrs. King.
3. Brig "*Guardiana*," Messrs. Ashmall.
4. Brigantine "*The Caboceer*," of Messrs. E. C. Hawker & Co., Liverpool.
5. Brig "*Commerce*," now in the hands of Mr. Lilley agent to, or partner of, Messrs. Hawker, formerly belonging to a Mr. Sill of Liverpool.
6. The hulk "*Alexander Grant*," Messrs. Horsfall & Co., under the agency of Mr. Poole, who with Mr. Ashmall are ready to combine for the good of the river, whilst all others hang back.

The palm-oil trade generally has declined during the last few years in consequence of the introduction of petroleum, the cheapness of tallow, and the effect of the American war upon demand. The average annual export from the Cameroon's River varies from 1,800 to 2,000 tons. The unit of value is the cloth = 6s. to 2s. The bar is here little used, and represents about 1s. or half that of Bimbia. Assuming the present price in England at 34*l.* per ton, and the medium quantity 1,900 tons, then (1,900 × 34) the annual export will be 64,600*l.* divided amongst six houses. It is capable of a vast development, but the native traders being without a King are poor and inactive.

I venture to suggest, my Lord, that the only way of managing this river is to let matters take their own course. Any interposition will be for harm, unless to defend British life, and at times English property, from actual violence. The traders find the trade profitable, or they would not remain here; and they gain by disunion, otherwise they would unite. Combined, they might manage everything. The threat of removing from the river would at once bring the natives upon their knees.

Proceeding northwards at a distance of twenty miles from the mouth of the Cameroons River lies Bimbia, by the natives called "*Isubu*." It can also be reached by a creek, and this passage is much used when the rollers are dangerous.

Bimbia had at one time several factories belonging to Mr. Horsfall, Mr. Lynslager, and Mr. John Laughland. The rapacity of Bilé, *alias* King William, and the villainy of his people, soon ruined the trade. Now the sites of the factories can hardly be distinguished, and the oil finds its way to the Cameroons River. The Baptist Mission, which at one time had its head-quarters there, was driven away by the deadly climate. The members departed leaving many graves behind them, and now the tumble-down Mission-house contains a single native teacher, Charles Steane, and two class-boys.

I have previously reported to your Lordship my difficulties with this King William, who attempted to make a preference Treaty with the Spanish authorities of Fernando Po.

Higher up the Bimbia River is Dikolo, or Dick Merchant's Town. The people are on bad terms with those of King William, and drive a small trade with the Cameroons River. They received me badly in 1862, when I visited them with Captain Perry in the gig of Her Majesty's ship "*Griffon*," but they took fright at a demonstration of howitzer and rocket boats which Commodore Edmonstone enabled me to make. After that time they have behaved peaceably.

A rough walk of six miles, or a row of four and a-half miles, leads from Bimbia Town to Victoria Bay, a high ridge of wooded land separating the two stations, and possibly explaining the contrast of their climates. Whilst the former is one of the most unwholesome, the latter is perhaps the least unsalubrious, locality in the two Bights.

I have already laid before your Lordship the manifold and manifest advantages of Victoria as a station, a harbour, and a sanitarium. I have only to add that though we visited it in the rainy season, the Commander and the Medical Officer of Her Majesty's ship "*Jaseur*" were equally pleased with it, and have allowed me thus officially to state the fact.

The bay has been repurchased by the Baptist Mission and its three inhabited islets are claimed by two native Chiefs.

King George reigns at Berbya, or Pirate Rocks, nearest the shore, and the other two, Ndami and Mondori, are under King William of Bimbila. The scanty population inhabiting the skirts of the mountain is divided into a multitude of independent and mostly hostile tribes.

The present little mission settlement of Victoria shows three tolerable board-houses, belonging to Mr. Saker, of the Cameroons River, to Mr. Wilson, a carpenter, and to Mr. Pinnock, an employé of the mission.

There is a small store kept by another coloured Baptist, a Mr. Brew. The other settlers are Mr. Johnson, of Sierra Leone, an old and valued servant of the mission, Mr. Michael, a small trader, and Mr. Bishop, another carpenter. All are married.

About fifty miles to the west of Victoria Bay lies the Rumby River, also called the Rio del Re. Celebrated in the days of Bosman and Barbot, it is now completely neglected, and its produce finds its way into the Old Calabar River. The entrance is shoal water, and shows two villages. To the eastward lies Rumby, where the inhabitants are lawless and violent. On the other side is 'Nda, with a mild and hospitable people. The Rumby is often visited by the native missionaries of Victoria, and I have gathered the above details from Mr. Babington, of Fernando Po.

Thirty miles from the Rumby River place the traveller in the Old Calabar River, one of the oldest, though not the most important, centres of trade. Curious to say, there is neither survey nor chart of the 35 to 40 miles between Duke Town and the sea, whereby Her Majesty's cruisers are not a little endangered.

The houses now engaged there are—

1. Messrs. Horsfall and Co. (Liverpool); agent, Mr. Clarke.
2. Messrs. Stuart and Douglas (Liverpool); agent, Mr. Louch.
3. Messrs. Walker, Scott, and Co. (Glasgow); agent, Mr. Laing (dead).
4. Messrs. Wm. Taylor, Laughland, and Co. (Glasgow); agent, Mr. Roy.
5. Messrs. Hamilton and Co. (Glasgow); agent, Mr. McCullum.
6. Messrs. Tyson, Richmond, and Jones (Liverpool); agent, Captain Mullings.
7. Company of African merchants, formerly Messrs. Fred. Huth and Co., Messrs. Castellaine and Grüning, and many others; agent, Mr. Inglis.
8. Messrs. Trakranen (Amsterdam); agent, Captain Jansé.

Each house has its own cask-house on the beach, paying annually to the King Archibong 1 hogshhead of rum, and 1 to 5 tons of salt; but the agents, sensibly, live on board hulks. Of these there are five belonging to Nos. 1, 3, 4, 5, and 8. There is one ship belonging to No. 6, and four barques for No. 2 (who has two), 5, 6, and 7. Thus the total of the shipping hulks included is ten, and the working season is now beginning. When I last visited the river officially (October 1862, or the dead season) there were 9 ships. The number of white seamen (not including masters and agents) was 90 to 100. Now there are but 70, and the maximum may be 300.

Old Calabar was a notorious slave-dealing river; at present it exports only oil. Criminal slaves are treated with horrible barbarity. The King always offers me a present of 500; and I deeply regret not being able to transport these wretches to a place where they would serve for something better than to deter by their tortures others from crime.

The trade of the Old Calabar is by the copper, the average of whose standard may be 2*d*. The extremes are included between $\frac{1}{2}$ *d*. and 6*d*.

The price of oil is now brought down, according to the agents, as low as 15*l*. per ton. I have reason to believe that it does not exceed 13*l*., whilst at Bonny and at Cameroons it will not fall below 19*l*. The average export of the Efik or Old Calabar country is 4,500 tons (formerly about 500 tons more) equal to 153,000*l*., to be divided amongst eight houses.

The low price of oil has caused a notable improvement in this river. Since my last visit in 1862 large cask houses have been built, roads cut up the river bank, a billiard table, and a "Court-house" (which I had the honour to open) have been added, and there is even a "Calabar Literary Association," whose session of 1863-4, closed on the evening of the 21st of February.

These good things arise simply from the concurrence of the agents and supercargoes.

At their request, on my first visit to the river, I established a Court of Equity, of which the original draft was forwarded to your Lordship. It sustained severe shocks, especially in April 1863, at the hands of a Mr. Knox (supercargo of the ship, "Cressy," Messrs. Huth and Co. Liverpool), but since that time it has risen to vigorous action, and it now fairly promises to last.

There are two Kings or Head Chiefs in the river:—

1. John Archibong, of Duke Town.
2. Tom Honesty IV, of Creek Town.

Under the former also is a third of minor importance, Ekpunyong Etum, generally called Egbo Young Etum. The danger of ordeal poison drove him from his settlement, Obuton or Old Town, which lies between the two others. He has lately returned and has kept the peace.

John Archibong has given great trouble in his day. He is a man of surly temper, and almost subject to one of his head slaves, "Yellow Duke." During my first visit I punished him and his Chiefs, as reported to your Lordship, by ordering the town to be cleared, and by persuading the shipping to drop down the river. Thus all was settled without firing a shot.

The Reverend Mr. Anderson, one of the eldest missionaries, who, as opposed to all his colleagues, had sided with the natives, did not like the prospect of remaining alone at Duke Town, and obtained from the people such concession that all the ships at once returned.

Since that time every thing has been quiet except some pilfering of kroomen, and mutiny of white seamen. King Archibong and I are now on the best of terms; during my last visit he came on board Her Majesty's ship "Jaseur," and Captain Grubbe and I returned his call. He declares that nothing will again make him and his Chiefs incur the loss of property sustained during their hurried remove two years ago, and I am happy to be spared the necessity of severe measures.

Adam Archibong, the King's half-brother, who expects to succeed him, and therefore is no favourite with him, is now building a fine house, a taste much to be encouraged.

Young "Eyamba," son of the last King, may come to the stool, but he will probably be poisoned before long. The terrible frequency of the "esere," chop-nut or poison ordeal of Old Calabar, is not yet to be remedied. Of late, however, the Egbo floggings, fatal as the knout, have diminished.

Perhaps the last severe attack of small-pox has temporarily tied up the arm of Fetish.

Tom Honesty IV, of Creek Town (uncle to Eyo Honesty III, who after conversion to Christianity, and to the practice of monogamy, died of a confirmed syphilis), received the hat or crown from my hand, May 7th, 1862. He has the fatal fault of being too good. His people are unmanageable, and while Duke Town has greatly increased, Creek Town, so called because situated on a deep narrow channel connecting Old Calabar with its western arm, the Cross River, has fallen into decay. It is the seat of a branch mission, and it receives (when not "chopped" for debt, as it is now in the case of twenty ships), an equal part of the comeys paid to Duke Town. I am unwilling to alter these proportions, holding the comeys as the last and highest card to be played out.

Old Calabar, like Cameroons, and unlike Bonny, New Calabar and Brass Rivers, is well supplied with missionaries. The United Presbyterian Mission of the Church of Scotland, numbers here nearly twenty years. The following is a list of its stations and its members:—

1. Duke Town.—Mr. and Mrs. Anderson (whites), Mrs. Sutherland and Miss Corrington (whites), Mrs. Edgerley, senior (Jamaican).

2. Old Town.—Mr. and Mrs. Edgerley, junior, and Miss Edgerley (whites), Dr. Hewan (coloured), and Mrs. Hewan (white), have gone home temporarily.

3. Creek Town.—Mr. and Mrs. Goldie and Miss Johnston (whites), Mr. and Mrs. Robb (whites), temporary Resident, Professor Milne, of Glasgow, who being a zoologist, is called by the people "King Fly."

4. Ikonitu, an inland place on the Cross River. Mr. and Mrs. Timson (whites), Mr. Thompson (white) has lost his wife and is now in Scotland. He is the son of an eminent missionary at Sierra Leone, and is much and deservedly respected.

5. Ikorofyong.—Mr. Zerub Baillie, who in 1862 lost his wife and child at that the highest station up the Cross River, is still there. He has built a good brick house, and has a small steam-launch. His brother and coadjutor Mr. John Baillie has been driven by sickness from the river. Both are ornaments to their profession.

A sixth station has long been proposed on the upper course of the Old Calabar River, in the district called after its former possessors Guinea Company. It is impossible too much to admire the faith and energy of this Scotch mission, or to compassionate their complete failure. At first the natives hailed them with enthusiasm, attended their schools, and became "professors." Presently ensued the relapse partially brought on, I must confess, by the extreme intolerance and the unendurable meddling of certain of the brethren who realized in Old Calabar the scenes of the Covenanters and Cameronians in "Old Mortality." The doctrine of monogamy was unanimously rejected by a people who deem

it the greatest uncleanness to cohabit with a pregnant wife. Native society was convulsed by the crusade against kidnapping—which now seems the rule—torture, “eséré” poisoning, Egbo floggings, and other State machines directed by the Kings and Chiefs, the priests and elders, and necessary evils where we forbid them to export their criminals. On the other hand arose acrimonious disputes between white man and negro. The slave was informed to his absolute amazement that as the Lord made him of the same blood as the white, so he was created at least the equal of his master. The blacks presently learned to act upon, if not to believe, an idea at first so insulting to his common sense, and a general upheaval of the lower strata of society was the result.

At present the “bush” is filled with what are called “bloodmen,” from their taking the blood oath together. These are slaves flying from torture and sacrifice who live on the outlying plantations, and who govern themselves. Some raise the number as high as 20,000, of whom one-half came from Creek Town, and were originally the slaves of the Honesty family. On occasions that call for their presence they march into the settlements under strict discipline, neither robbing nor violating, but slaying the objects of their anger, after which they retire. They could easily take the towns, but they are often “blood brothers” of the inmates. As yet their conduct has been good, but once placed in their masters’ position, they would I suspect turn out as bad, if not worse, than the freemen.

Another evil to the river is the presence of the Accra and Sierra Leone people, especially the latter. During the last two years they have increased from thirty to fifty. They do all the harm they can by entering into the smallest trade, and by holding slaves, a bad example to the people.

With their usual cunning they impose both upon the Chiefs and the missionaries, often playing one against the other, and generally pitting both against the traders. Mr. ——— was sent by Consul Hutchinson to Sierra Leone. He had run away from Ikonitu, and had detained the son of Jim Bell, a Cameroons Chief. Mr. ——— formerly notorious for seizing bullocks, and forgetting to pay, has just brought against the Rev. Mr. Anderson a charge of theft, which had not the least foundation.

Mr. ——— used to waylay seamen on their way to divine service, and by means of rum extract from them the secrets of the shipping. Messrs. ——— are accused of getting into debt, and of threatening the natives with force on the part of Her Majesty’s Government.

These men are supported by the people because they can read, write, and lie about England, and they are upheld as converts by those missionaries who assume extreme negrophilist views.

It is not a little remarkable that the two missionary rivers, Cameroons, and Old Calabar are as barbarous and unruly as any in the Bight of Biafra.

Here, besides the horrors above alluded to, there are abominable practices which do not bear description. Cannibalism is in fact the only offence against human nature that is not customary in Old Calabar.

At the first available opportunity I have made a “plain and decided utterance” to the Kings and Chiefs concerned in these atrocities, though perfectly convinced that even armed force would not, as matters now are, abolish ordeal and human sacrifice. Let us hope that it is the darkness that precedes the dawn.

The Efik race is, I believe, one of those that are dying out. But the future of the Old Calabar, or rather the Cross River, its sister stream, is superior to that of the other oil rivers.

I have already transmitted to Her Majesty’s Foreign Office a fine specimen of pig-lead dug from the upper course. It appears to contain silver, but with my imperfect means of analysis I could not ascertain the amount. According to all local authorities, there is a short cut from the upper waters of the Cross to the Niger, four days march being the extreme distance. Mr. Jamieson, of Liverpool, who employed Mr. Beecroft, first conceived the idea of diverting the produce of the Niger into the Cross River. My attempt in May 1862 failed, owing to the hostility of the people of Duke Town. The next, however, shall be more successful.

A run of about 140 miles from Duke Town (Old Calabar River) leads to “Obani,” or Grand Bonny, the most important trading station in the Bights of Benin and Biafra, and indeed in all Western Africa. Of the 40,000 to 42,000 tons of palm oil annually produced by this coast, the Bonny River, including New Calabar, supplies from 16,000 to 17,000 tons, and has supplied 22,000 tons, which at the current rate represents 748,000*l.* out of the 1,500,000*l.* figuring the total of exports from the African coasts. The present export of the river, 512,000*l.*, is divided amongst the eight houses now trading in it, which are—

1. Messrs. Horsfall, of Liverpool, general merchants. Agent (temporary) Mr. Massey.

2. Messrs. Tyson, Richmond, and Co., of Liverpool, soap merchants. Agent, Captain McIntosh.

3. Messrs. Thos. Harrison and Co., of Liverpool, bread bakers and ship owners. Agent, Mr. Ireland.

4. The Company of African Merchants, Liverpool (formerly Messrs. Tobin and Co., powder makers, Messrs. Huth, and Messrs. Castellaine, Grüning, and Co.), with Mr. Aspinwall Turner as the perpetual Managing Director. Agent, Captain Phythian.

5. Messrs. Hatton and Cookson, of Liverpool, nail makers. Agent, Captain Hannah.

6. Messrs. Stuart and Douglas, of Liverpool, coopers. Agent, Mr. Moore.

7. Messrs. Grant, Murdoch, and Co., of Liverpool, wine and general merchants. Agent, Mr. Grant.

8. Messrs. Corish, Lowenthal, and Co., of Liverpool; agent, Captain Finnigan.

Besides which there is a ninth Company in the New Calabar River, viz., Messrs. Thomson, Perry, and Co., of Liverpool.

In October 1862 there were in the river 278 white men and 7 hulks belonging to Nos. 1, 2, 3, 4 (who held two, being then distinct houses), 5, 7, and 10. There were 12 ships awaiting cargo, running on an average 700 to 900 tons, and sometimes reaching 1,000 tons. This was the mere vanity of competition, where nothing above 600 tons is required.

During my last visit in March 1864 I found 120 whites, not including Captains and Supercargoes. There were eight hulks: the "Mississippi" (belonging to No. 1 house), "Celma" (No. 2), "The Sisters" (No. 3), the "Princess Royal" and the "Bahamian" (No. 4), the "Georgina" (No. 5), the "Ben my Cree" (No. 6), and the "Lord Elgin" (No. 8).

Of these, only two (the "Mississippi" and the "Ben my Cree") are afloat. The others form a "rotten row" on the mud opposite the town, which has run considerable risk from their stores of gunpower.

At the same time the ships lying in the river were seven in number, viz.: the ship "Tapley" (belonging to house No. 2), the ship "Grand Bonny" (No. 1), the barque "Cockatoo" and the ship "Ellerslie" (No. 4), the barque "Benledi" (No. 5), the ship "Clara" (No. 6), and the ship "Manners Sutton" (No. 7). There were therefore fifteen keels then in the Grand Bonny River.

The river has now completely recovered from the yellow fever, and in March 1864 there was not one case of sickness. That terrible scourge, after sparing the Bonny for many years, broke out on March 14, 1862, and extended far into 1863, the later ravages being concealed, lest seamen should be deterred from sailing to this pest-house. The experts attributed the outbreak of 1862 to the persistence of the land-breeze (east by south and north-east), to the absence of the normal tornadoes, and to the want of rain. But in 1863, although every condition was reversed, the disease was little affected. It ended amongst the whites with a typhus as fatal as the yellow type; and the per-centage of deaths amongst the natives who died of small-pox and remittents was, it is said, even higher than that of the whites. Between March and October 1862 died in the Bonny River 3 supercargoes, 5 medical men, 5 clerks, and at least 150 sailors, out of a grand total of 350 whites, the average number. New Calabar was even more direly visited, 6 supercargoes and 169 of 278 whites being her loss. The ship "Osprey" (Messrs. Tyson and Richmond) buried between February and April 1862, 16 to 17 men, the whole of her hands except the master, who recovered. The ship "Dorothy" (Messrs. Horsfall and Co.) lost 2 masters, 3 officers, and 12 seamen, a total of 17 out of 26, during a four months' stay in the river.

Amongst the veterans of the trade who fell victims were Captain Thomson and Mr. Duff (belonging to house No. 1), Mr. Hearn (No. 2), Mr. Bray and Dr. Richards (No. 6), Drs. Ward and Le French (No. 8), and Captain Townsend (Messrs. Thompson and Perry).

The disease then spread to Fernando Po, where it carried off 78 out of 250 Europeans, and thence it passed to Teneriffe, where also it did great damage.

Trade in the Grand Bonny is now greatly depressed. For this there are two great causes: one external, the influence of petroleum; and two internal, the proceedings of King Pepple and the political state of the river.

1. The action of petroleum, combined with the stagnation of the American trade, began to be felt in 1862, but the great fall of prices was in 1863. During the Russian war oil averaged 50*l.* per ton, and at one time rose to 53*l.* 10*s.* per ton. Sound oil has gradually declined to 32*l.* per ton, and unless in case of some contingency, its fall will be greater, yet (such is the antiquated style of the trade) a total of 16*l.* must be laid out before the ton can be purchased, and the agents cannot reduce the price below 19*l.* The

unit of value is still by the native "bar," averaging 8*d.* each, and want of union (at Liverpool rather than in the river) has perpetuated the venerable abuse. The commerce of the Bonny River is a subject for the antiquary.

With respect to King Pepple, that Chief, since his return from England in August 1861, has given great trouble. He began by engaging a collier-like brig, the "Bewley," from Messrs. Gammon and Carter, who I observe have sent in against him a claim of 1,940*l.* 7*s.* 2*d.*

King Pepple, fearing to land from the brig "Bewley," was taken on shore by an old and expert trader, who thus hoped to collect certain bad debts, and to make a good thing out of royalty. The King began at once to alter the tariff established by Treaty (October 3, 1850, with supplement of January 1854) and current for many years. He demanded 10*s.* per registered ton in Spanish dollars, English gold, or Bank of England notes, in lieu of five bars, equal to 3*s.* 4*d.* "Comey," it must be remembered, is not recognized in Africa as merely Custom-house dues. It is also the price paid by Europeans to the native Powers for protection of life and property, and as no such aid is afforded to them, the agents and supercargoes, so far from being ready to treble their "comey," have proposed to do away with it. The natives, however, despite their contempt for the King, will always support him in any extortionate demand which he may make upon the white man.

King Pepple, after applying for various presents to his Excellency the Governor of Fernando Po, attempted to raise 20,000*l.* from certain benevolent persons in England for "missionary purposes."

This failing, he proposed, through one of his "ministers" (a clerk named Gardner, by no means favourably known on this coast) to obtain that sum by selling the Bonny River (which is not his property) to an Anglo-French house, Messrs. Foster and De Theurry.

By your Lordship's directions I warned him in June 1863 of the illegality of the proceeding, and the matter fell to the ground.

At the same time, although there was no cruiser in the river, I informed King Pepple by your Lordship's orders, that he was to cease claiming increased comey.

My long and unavoidable absence, caused by the impossibility of procuring a cruiser, emboldened him. Presently he addressed letters to four traders in the Bonny, Messrs. Clegg, Massey, Moor, and Grant, threatening to stop trade if his demands were not acceded to.

When they refused, he carried out his threat, and, contrary to Treaty, he stopped trade, December 26, 1863. It was closed till reopened by the Chiefs, February 19, 1864, nearly two months.

On my arrival in the Bonny River, March 23, 1864, I called a meeting of the Court of Equity, and on King Pepple refusing to be present at the place appointed, Commander Grubbe, Her Majesty's ship "Jaseur," removed him from his canoe at my application and compelled him to attend. All was duly investigated.

The letters threatening to stop trade were laid upon the table. It also appeared from one of King Pepple's notes that he considers that his visit to England has cancelled all previous Treaties and obligations with the English Government. The King and Chiefs, of whom the principal were present, could offer no other excuse than they wanted money and must have it.

Seeing that it is necessary to arrest these disorders, and that King Pepple, having been abetted by his Chiefs, will be aided by them in paying the fine, I determined to take strong measures.

By Article V of the above-named Treaty a compensation of one puncheon (220 gallons) of tradeable palm oil per diem is provided for every 100 tons register, in case of trade being stopped. The total liability of the river to the merchants is thus about 2,000 puncheons. Moreover, the conclusion of the said Treaty authorizes a mulct of 20 puncheons for every clause broken, and finding twelve several and *bonâ fide* infractions, I fined King Pepple 240 puncheons of tradeable palm oil, to be deposited at the end of six months in the hands of the then chairman of the Court of Equity.

King Pepple is no longer permitted to live at Bonny Town. His hut is up a narrow creek beyond Ju Ju Town.

Eleanor, Queen Pepple, alias Allaputa, is separated from him and lives at Bonny.

Since his visit to England he has not ceased to show both by word and deed his dislike to the nation, and the obstinacy and sullenness of his character and that of his Chiefs make me anticipate the unpleasant necessity of adopting severe measures.

A regards the political state of the Bonny River it has long been critical. The old "regency" of four members has disappeared, and since the death of Prince Dapho there are but two "proper freemen" in the place, King Pepple and an old pauper, Bess Pepple.

Two great houses of Slave Chiefs (descended from the property of old King Pepple) now contend for superiority, and they are so equally balanced that the present puppet King remains in position.

1. Annie or Ilola Pepple's house. The head-man of that name (one of the four Regents) died in April 1862. After the usual funeral customs, the "boys," *i. e.* the juniors of the party, chose as their Chief, in December 1863, one Jájá, son of an unknown bushman, a common negro, and a favourite slave of the deceased.

Jájá has now "come up," in local phrase, Annie Pepple. He is young, healthy, and powerful, and not less ambitious, energetic, and decided. He is the most influential man and the greatest trader in the river, and 50,000*l.*, it is said, may annually pass through his hands. He lives much with Europeans, and he rides rough-shod over young hands coming into the Bonny.

In a short time he will either be shot or he will beat down all his rivals. At present he leads the party against King Pepple, who is supported by,

2. Jack Manilla's house, whose head died early in 1863. The well-known Oko Jumbo and Will Bannego, being unable each to witness the rise of the other, agreed that one Wogro should "come up for Chief." Wogro is a "boy" of old Jack Manilla, the second "Regent;" he cannot therefore expect the deference due to an old man, and but for the peril of disunion the party would split into three. Of the minor houses, Captain Hart and Ojjo Hart are the chief supporters of this faction. Ada Allison, a kind of half free-man ("free for one side") attempts neutrality. The others are Sunjio Fubra, successor to Black Fubra, Offa Dappa's house, which has supplied Bonny Town with Kings, Jack Brown of Ju Ju Town, and lastly, not to quote diminutives, the small and decayed family of the late Charley Africa.

At present there is in the Bonny an ominous calm which not improbably will end in a tornado. The resident inhabitants of Grand Bonny may be 5,000 souls, and the floating population 4,000 more. In case of a fight, however, each house could raise 2,500 musketeers.

They have abundance of ammunition, ships, swivels, and carronades, and when hostilities break out they will be equally bloody to the natives, and injurious, if not dangerous, to the Europeans.

The Bonny man can be ferocious. In 1863, one Osiah Hart killed a debtor, an Akrika man; cut off his head and threw it into the Ju Ju house.

As Akriki supplies yams which partly support Bonny, the townspeople resolved to seize the murderer. Hart, however, blockaded his house, defied his enemies, and defended himself bravely.

The white men vainly attempted to settle the affair, and after much fighting the fire of one of the guns blew up his magazine and killed him with his nearest relations; the survivors were enslaved, and the house razed to the ground. Hart's slave did the same in his "small country" or plantation, and rather than yield, blew himself up—here, as favourite a form of suicide as the razor in England, and charcoal in France.

Any failure in self-destruction is severely punished for example; the town on such occasions running great risk.

A slave of Annie Pepple, having thus only injured himself, was lashed to a larger keg and was duly blown up. When he descended his brains were beaten out with clubs and sticks, even the women and children joining in the pastime gleefully, as boys killing a rat.

For two hundred years Europeans have traded in the Bonny River, yet the native is still but little less barbarous than in any part of the African interior known to us. Cannibalism is undoubted, iguana-worship endures, and the Ju Ju House presents the disgusting spectacle of victims' skulls, alternating with goats' in long lines to form an altar, whilst their privities putrefy in the sun suspended to a scaffold hard by.

Cruelty, superstition, and debauchery characterize this people, who, though yielding in some special points, contend with the Efiks of Old Calabar for supremacy in general iniquity.

The country to the eastward or between Bonny and Old Calabar wants exploration. It is hardly known to us by name, and even the river has not been traced to its source, which is probably the Niger. The furthest country to the east is called Akwitta, and supplies a quantity of palm oil.

Since 1862 it has been at war with Ohombola which, with its neighbour, is the main source of the wealth of Bonny. Between Bonny and Ohombola lies Ommoba whose people, an independent tribe, fraternize with the Ohombolas, block up with felled trees their high-banked narrow creeks, and will not allow the Bonny men from whom they take toll, to trade direct with Akwitta.

The Andony River is now unknown, and the Kom (or Kan) Toro to the east of it has no name in our charts.

I would willingly undertake the task of roughly surveying these interesting places, but as yet opportunity has been wanting.

From Bonny Town to New Calabar Town, whose river anastomoses with that of the former, the distance by boat-course (which is also practicable for gun-vessels) is twenty-one to twenty-two miles. I have enumerated its produce in summing up that of Bonny, and have named its houses which are nine in number.

New Calabar has lately suffered from a destructive fire, which began on board the barque "Merlin," Messrs. Grant, Murdoch and Co. As quantities of powder were on board, the conflagration spread rapidly, a caution to use zinc, not thatch roofs, and soon seven ships, of which four were hulks, were hopelessly in flames. There was no loss of life; the whites were few in number, and kroomen jump overboard as soon as they descry the least danger.

The vessels were soon replaced. The fire took place on January 23, 1864, and on March 27, 1864, I found there eight keels. There were four hulks, the "Cherokee" (belonging to No. 1 House, Bonny River), the "Native Lass" (No. 2), the "Bessy" (No. 4), and the "John Brooks" (No. 5). The ships were the barque "Phrenologist" (No. 6), the schooner "Falcon" (No. 7), and the barque "Rattler," and the schooner "Ethiopian," of Messrs. Thomson and Perry. Three houses have cask houses, No. 4, No. 6, and Messrs. Thomson and Perry.

The hulks, ships, and cask houses, prefer the vicinity of Brass Creek, seven to eight miles down the river, the malaria and the mosquitoes of New Calabar Town, being unendurable. This, though provided for by Treaty, is not pleasant to the people who thus lose an opportunity of loafing and begging.

The old King "Amacree," deservedly called the friend of the whites, died in April 1863. His funeral rites are not yet ended; his successor will, however, be Prince Will, the eldest son of a family whom the father could probably not count. He is pretty well spoken of, but extortionate, and his action will be hampered by a rival faction.

There are at present two great families in New Calabar, the "Amacrees," and the "Barboys." The Chiefs of the former are Prince Will, George Amacree, Batribe, West India, Manuel, Goodhead, Young Annie (a Brichi man), Young Harry, Harry Braid, Zongo, Quakea, Big Harry, Tom Lawson, and Mungo Park.

The Chiefs of the Barboys, are Will Barboy, Will Braid, Young Briggs, Standfast Jack, George Will, Don Pedro, Black Jim, Dick Barboys, Horsfall, Manuel, Tiger Amacree, and Jim Braid.

In July, 1863, shortly after King Amacree's death, the feud between his people and the Nimbi, of the Brass River revived.

Each party accuses the other of beginning the fray, of seizing, killing, and eating some unoffending canoe-man. It is, however, certain that the Brass people have been the victors.

In one day they "chopped" it is said three canoes, containing thirty-six of their enemies, and have altogether captured or killed a hundred of the New Calabar men, who can hardly show a skull in return. There is a chronic enmity between the two rivers, which nothing save interest can check. The creek between New Calabar and Brass, leading through what is called the "Mosquito country," is still closed, and the former place like Bonny is in a state of depression.

King Pepple has been once more attempting to impose his yoke upon the New Calabar people, and has threatened them with the anger of Her Majesty's Government in case of their disobedience. I therefore took the opportunity, during my last official visit, of counter-acting his intrigues. Yet the trouble will continue until energetic measures are taken. In June, 1863, Mr. Samuel Cheetham, agent to Messrs. Horsfall, and one of the shrewdest of the traders, proposed that all the leading Europeans should leave these parts for at least a month. It was of course impossible to make men unanimous in carrying out a plan which would have taught the natives a lesson not easily to be forgotten.

From the mouth of the Bonny River to the Brass, fairway to fairway, is fifty miles. The intercolonial steamer after leaving Old Calabar visits the latter before the former, in order to perform her mail service and take in freight. The bar is too shallow for the larger ships, fourteen feet being the limit of safety; and vessels are often set upon the breakers. The natives claim, and would fight for their rights of plundering wrecks; and ships being mostly insured, agents object to risk themselves against surf, sharks, and savages. A late case in point is the "Lord Burleigh," Messrs. Stuart and Douglas. During my last visit to the Brass River I saw her last timbers on the sands, and the natives were re-selling the oil.

The houses trading in the Brass River are the following, beginning down stream.

1. Messrs. Horsfall ; agent, Mr. Taylor.
2. Company of African Merchants ; agent, Captain (Niger) Walker.
3. Messrs. Hatton and Cookson ; agent, Captain Barman.
4. Messrs. Ashmall ; agent, Dr. Anthony.
5. Messrs. Stuart and Douglas ; agent, Mr. Bell.

The five houses have cask-houses upon the beach. Two, Nos. 4 and 5 have dwelling-houses, whilst No. 2 is building. There is but one hulk, the "Mary and Susan" (No. 1) No. 3 had a hulk, but it went to pieces. In October, 1862, the total number of Europeans was fifteen. During my last visit in March, 1864, it was about 100, of whom 5 had died during the last week, making 260 per cent. per annum, yet there was no pestilence, nor perhaps was the climate worse than usual. As a rule, seamen and carpenters to be kept alive, must be sent from Brass to Bonny. The secret of this enormous mortality is the swampy nature of the ground behind the Settlement. All is fair to the eye, but not the less fatal. The very few acclimatized, however, do not seem to suffer more here (whilst they live) than in the other rivers.

During my last visit, the ships lying in the Brass River were five in number, viz., the barque "Paragon" (belonging to house No. 1); the barque "Empress" (No. 2); the barque "Virginian" (No. 3); the barque "Selina" (No. 4); and the barque "Express" (No. 5); thus making a total of six keels.

Salt is the staple article of import into the Brass River. Cotton cloth which represented the next demand has now risen so high, that it has diminished to one-twentieth of its normal quantity. The other imports are tobacco, gunpowder, and rum.

The only export is palm oil, which in the Brass River is exceptionally pure. The puncheon contains 240 gallons (wine measure). The average figure is 2,000 to 2,800 tons = 68,000*l.* to be divided amongst five houses. A total absence of Sierra Leone men and the union of the agents and supercargoes has wrought wonders in this river. Trade was stopped during the four months between June and October, and little business was done for the succeeding four. When re-opened, the native bar was done away with, and the price of oil had fallen from 19*l.* to 12*l.* 13*s.* per ton.

I have seldom visited the Brass River, whose traders on my first meeting them gave me a hint that they preferred to manage their own affairs, and the same was subsequently repeated to Captain Luce, Her Majesty's ship "Brisk."

To their action upon the natives is doubtless to be attributed the hostility of the Ibo villages at the apex of the Nigerian Delta. This, however, can hardly be wondered at. The exploitation of the "Golden River" would not greatly affect Grand Bonny, whose oil comes mostly from the east country, but it would ruin the Brass River.

Now, however, all is changed. Of the "old hands," three are dead; one went home, and but one remains. During my late official visit in March 1864, all disclaimed the desire to manage exclusively their own affairs. Indeed, I should not have entered the river but for a direct requisition on the part of Captain Pearman, whose kroomen had broken open his store, pillaged his goods, deserted to the bush, and organized a system of shipping their plunder.

The Brass River was one of the great slaving stations; and at Nimbi Town, some thirty miles up the stream, there are still remains of a Spanish trader's house.

The "Monthly Mail" has reduced it to ruins. The left or east side of the river extending to the San Nicolas, called "Opullambry" and "Nimbi," is under King Keyo; the opposite bank "Bassambry" is "King Arishma's" side. Although the latter owns himself "small boy for" the former, both receive the same comeys, three puncheons each; yet they have little idea of controlling their subjects. By Brass law it is death to kill a bullock, yet Captain Walker has lately lost two. The python being the local Ju Ju, may enter any European tenement and carry off even the precious turkey; but the tenant, if he molests it, must pay a heavy fine. Lately the native missionaries at Akassa, on the Niger, killed a snake. The Brass men remarked that the strangers were not in fault, but that their protectors, the Akassa people, must be punished; so intercourse with Akassa is cut off, and the Europeans in Brass River are short of food. The King of Brass also demands two puncheons fine from any of his subjects found trading with the Ejors on the banks of the Niger, in order to keep "town strong" against the people of New Calabar. The principal settlements on the lower Brass are Twa, a fishing station which may number 2,000 souls, and Fishtown, which reckons 5,000. These, as usual throughout the rivers, are all brokers, living on the sweat of other men's brows.

I regret having so little to report touching that glorious river the Niger.

Whilst the several branches of its Delta are regularly frequented by the trader, the Nun has only a black mission of some twenty souls under Mr. A. G. Coomber, also a

person of colour. At Akassa and below the Confluence there is not a single white man. It is easy to see the cause. The Niger will afford small present and vast future profits. Brass and Bonny are for the moment paying, though they will at no distant time fall into a rank far below that which must be held by the "Nile of Negroland."

With respect to the ground which I have now traversed, a few words will explain why its great resources are so scantily developed, why its native towns have remained mere brokerages, and why its traders are not more advanced in their mode of traffic than the fair frequenters of outer Liberia.

The first great cause has been the competition between rival houses in England and West Africa. To this only can I attribute the shameful fact that in the latter half of the nineteenth century the principal exports from England to the Bight of Biafra are rum and weapons, muskets and ammunition, rendering peaceful commerce no longer a blessing but a deadly curse. The Arab Moslems on the eastern coast are far more scrupulous; they would hold such a trade in horror.

The earliest effect of great competition was the commission system. It consisted of paying to the best (that is the sharpest) procurable trader a large honorary, usually 5 per cent., upon the gross amount of purchases. It therefore became clearly his interest to outwit all around him, white as well as black.

Whilst the prices of oil ruled high in the market this was found to pay. During the last four years, however, the agent has gone home rich, and the merchant has found himself poor.

At length, during the present year, the "African Association" of Liverpool has so far forgotten its petty feuds as to agree upon united action. Future agents will receive a salary of 25*l.* per mensem, with a commission of 20 per cent. on profits only, or they may compound for a commission of 25 per cent. on profits.

There are other items of minor importance. The intelligence has created consternation in many places where commissions of 2,000*l.* per annum will fall to salaries of 300*l.* The transition is perhaps too abrupt, and may require subsequent modification.

As yet the Scotch mercantile houses do not appear to have sympathized with it; in fact it can hardly be said to be finally settled.

To something of the kind, however, the trade must come, and the country will be greatly benefited by it.

The present high prices enable the negro to enjoy five Sundays a week. When oil shall be reduced from 19*l.* to 8*l.* per ton he will find the necessity of more industry, to his own advantage and to that of others. During the obsolete days of extreme prices 16*l.* were spent in transit and salaries before a ton of oil could be bought. In these days of steam the sum will readily be reduced to 8*l.*, and thus break up a monopoly which by enhancing all prices prevented the opening of the coast to trade.

The next step in advance which I expect to see taken upon this coast is the establishment of a steam line for traffic, not for passengers. Then the days of sailing vessels will be numbered, and a few hulks be the sole remnant of the "Bonny fleet" and similar old-fashioned contrivances.

It requires no prophetic eye to see that this change is rapidly coming on.

I will no more trouble your Lordship with the difficulties with which the want of a cruizer stationed in the Bight of Biafra, and the absence of all magisterial control in the rivers, heap upon me. It is somewhat with regret that I find myself in a place where so much is to be done both for reform and for progress, and yet in a position where little or nothing can be effected.

My last tour round the oil rivers of the Bight of Biafra may be quoted to prove that, with due care and regard for the men, a moderately long visit is by no means dangerous. Her Majesty's ship "Jaseur," Captain Grubbe, contained an unusually full crew, of itself a danger in these climates, and her awnings were not of the thickest. We anchored off Batanga on the 10th March, 1864, and, after visiting all the chier rivers, we made Fernando Po, April 3, 1864. During those twenty-four days not a case of fever took place on board, nor have I heard of any having broken out since. The prophylactic system recommended by the eminent Dr. Bryson—4 grains of quinine per diem in a gill of spirits and water—saved the men. It is true that they had great confidence, being attended by Dr. Alison, whose care and vigilance never relaxed. But even a non-professional man should be able to apply so exceedingly simple, and apparently satisfactory, a treatment.

AUSTRIA.

No. 21.

Earl Russell to Mr. Bonar.

Sir,

Foreign Office, December 7, 1864.

THE crime of trading in human beings has been for many years branded by the reprobation of all civilized nations. Still the atrocious traffic subsists, and many persons flourish on the gains they have derived from that polluted source.

Her Majesty's Government, contemplating on the one hand with satisfaction the unanimous abhorrence which the crime inspires, and on the other hand with pain and disgust the slave-trading speculations which still subsist, have come to the conclusion that no measure would be so effectual to put a stop to these wicked acts as the punishment of all persons who can be proved to be guilty of carrying slaves across the sea.

Her Majesty's Government therefore invite the Government of Austria to consider whether it would not be practicable, honourable, and humane—

1. To make a general Declaration that the Governments who are parties to it denounce the Slave Trade as piracy.

2. That the aforesaid Governments should propose to their Legislatures to affix the penalties of piracy already existing in their Laws, provided only that the penalty in this case be short of death, to all persons, being subjects or citizens of one of the Contracting Powers, who shall be convicted in a Court which takes cognizance of piracy, of being concerned in carrying human beings across the sea for the purpose of sale, or for the purpose of serving as slaves, in any country or colony in the world.

I am, &c.
(Signed) RUSSELL.

No. 22.

Mr. Bonar to Earl Russell.—(Received December 19.)

My Lord,

Vienna, December 15, 1864.

WITH reference to your Lordship's despatch of the 7th instant, instructing me to invite the Austrian Government to consider whether it would not be practicable for them to co-operate with other Governments for the more effectual suppression of the Slave Trade, by a general Declaration denouncing Slave Trade piracy, and by affixing more heavy penalties on all persons, subjects or citizens of one of the Contracting States, who should be concerned in that hateful traffic, I have the honour to inclose a copy of the note which I have addressed to Count Mensdorff in that sense.

I have, &c.
(Signed) A. G. G. BONAR.

Inclosure in No. 22.

Mr. Bonar to Count Mensdorff.

M. le Comte,

Vienna, December 11, 1864.

THE crime of trading in human beings has been for many years branded by the reprobation of all civilized nations. Still the atrocious traffic subsists, and many persons flourish on the gains they have derived from that polluted source.

Her Majesty's Government, contemplating on the one hand with satisfaction the unanimous abhorrence which the crime inspires, and on the other hand with pain and disgust the slave-trading speculations which still subsist, have come to the conclusion that no measures would be so effectual to put a stop to these wicked acts as the punishment of all persons who can be proved to be guilty of carrying slaves across the ocean.

The Government of the Emperor of Austria has ever largely co-operated in the humane endeavours which have been made to put an end to this inhuman traffic, and I have been therefore instructed by Her Majesty's Government to invite the Imperial Government to consider whether it would not be practicable, honourable, and humane—

1. To make a general Declaration that the Governments who are parties to it denounce the Slave Trade as piracy.

2. That the aforesaid Governments should propose to their Legislatures to affix the penalties of piracy already existing in their Laws, provided only that the penalty in this case be short of death, to all persons being subjects or citizens of one of the Contracting Parties, who shall be convicted in a Court which takes cognizance of piracy, of being concerned in carrying human beings across the sea for the purpose of sale, or for the purpose of serving as slaves in any country or any colony in the world.

I avail, &c.

(Signed) A. G. G. BONAR.

No. 23.

Mr. Bonar to Earl Russell.—(Received February 17.)

My Lord,

Vienna, February 12, 1865.

IN my despatch of the 15th December last I had the honour to inclose to your Lordship copy of the note which I had addressed to Count Mensdorff, in conformity with the instructions conveyed to me in your Lordship's despatch of the 7th December last, on the question of making Slave Trade piracy.

I have now the honour to transmit to your Lordship translation by Mr. Thurlow of the note I have received from the Imperial Minister for Foreign Affairs in reply, embodying the opinion on the subject of the Imperial Law Officers.

This document is of great length, and presents such a labyrinth of repetition and paraphrase as to render it exceedingly obscure. Its purport and result, however, are that the Austrian Government object to make Slave Trade piracy, as inconsistent with the spirit of their legislation, incompatible with the express Articles of their Criminal Code promulgated in 1852, and as involving the risk of Austrian subjects under the accusation of Slave Trade being taken out of the jurisdiction of their own (Austrian) tribunals.

The crime of Slave Trade, and even that of aiding and conniving at it, are already punishable, according to the Penal Code of Austria, with from one to five, in aggravated cases from ten to twenty, years of hard labour in chains; and the Imperial Government hold that thereby the proposal of Her Majesty's Government that that crime should be visited with the highest penalty short of capital punishment is already met.

I have, &c.

(Signed) A. G. G. BONAR.

Inclosure in No. 23.

Count Mensdorff to Mr. Bonar.

(Translation.)

Vienna, January 31, 1865.

THE Imperial Royal Foreign Office has had the honour to receive the note of the British Chargé d'Affaires, Mr. Bonar, of the 11th December last, in which the Chargé d'Affaires, in the name of his Government, suggested the idea of attempting a more effective suppression of the Slave Trade by a united declaration of the Governments declaring it piracy, and by a project of law, to be submitted for the approval of the several Legislative Assemblies of the said Governments, by which the legal penalties for piracy (excepting that of death) should be extended to all the subjects of the Powers parties to the Treaty who should be found guilty by a court of justice of cases of piracy, or of carrying human beings across the seas for the purpose of sale, or treating them as slaves.

The Undersigned has the honour of answering the proposal in the name of the Imperial Government by the following:—

It is well known to the Law Advisers of the British Crown that the Austrian Government has long tried by all means of home legislation and by foreign Treaties to combat slavery and its deplorable consequence—trade in human flesh.

When, in 1851, the then British Minister in Vienna, Mr. Magenis, communicated to the Imperial Government a law published in Brazil against the Slave Trade, and expressed in the name of the British Minister the wish that a similar law might be made in Austria, the Imperial Foreign Minister saw himself compelled to inform Mr. Magenis, by a note of August 20, 1851, that the Slave Trade was already prohibited by the Austrian Legislature under the heaviest penalties, so that no necessity existed for passing a new law to that effect.

Since then, in 1852, a new Criminal Code has been introduced in Austria, and by its Article 95 those who treat a man as a slave, or are implicated in the transport of slaves, are declared guilty of the crime of "public violence," and the penalty attached is from one to five years' imprisonment with hard labour, under particularly aggravating circumstances even from ten to twenty years; then in paragraphs 213 and 215, even the wilful neglect of prevention of this crime, when such could be done easily and without danger, is mentioned as connivance, and menaced with equally heavy penalties. As regards the severity of the punishment, therefore, the wishes of the British Government may even be regarded as then fulfilled in Austria; and of the readiness of Austria to carry out the law energetically evidence is given by her requesting the co-operation of the other naval Powers, and of that of England in particular, and by the conclusion of the Treaty ratified in London on December 20, 1841, signed by Austria, Great Britain, Prussia, and Russia, authorizing, under conditions of mutual reciprocity, Austrian ships suspected of Slave Trade to be searched and also to be taken into Austrian ports for the purpose of adjudication.

But the present purposes of the British Government are not confined to a combination of the Powers for the purpose of enacting more stringent penalties, and, by mutual arrangement, to secure enhanced severity of police regulations upon the high seas, by which the working of the law may be ensured: they have in view rather an international decision on the legal meaning of the crime committed by the Slave Trade, by its formal declaration as piracy, and, as a consequence of this declaration, a comprehensive change in the competency of Courts of law called to judge such crime. In both cases these proposals require mature consideration.

In the first respect it must be allowed that so early as the above-mentioned Treaty of December 20, 1841, in Article I, Trade with slaves was declared "piracy." But that this nomenclature was then only intended to render apparent by a popular expression familiar to the comprehension of all the criminal nature of the undertaking and its liability to heavy penalties, but by no means to compel the contracting Powers to give the crime committed by Slave Trade, without respect for their systems or the nomenclature of their Criminal Codes, exactly the qualification of piracy, is to be seen by this—that the first part of the present proposal would be superfluous if the earlier Treaty had fixed on this term "piracy" as the basis of its decisions, in its strictly legal and not only in its popular meaning; but it is also to be seen that from this term in the Treaty of the 20th of December 1841 nothing has followed as to the competency of the Courts of law; and national jurisdiction was fully recognized by Article X of the Treaty, and by section 5 of the Appendix B. While, according to the present proposals, the proclamation of the Slave Trade as piracy would entail many results as to the law of the country.

Besides, it would be against the spirit of the Austrian criminal legislation to treat Slave Trade as robbery on the high seas, for "robbery on the high seas" has found no special regulation in the Austrian Penal Code to supplant the crime of "robbery" itself. For, as object of robbery, only a thing can be imagined which some one wishes to obtain possession of by violence against another. According to section 169 of the Penal Code of 1803, and section 190 of the Penal Code of 1852, both civil and criminal codes, however, determine that a man can never be regarded as a thing, and that a slave by entering an Austrian ship becomes a freeman,—a decision which would rather make the crime of kidnapping, which forms a special kind of open violence according to section 75 of the Penal Code of 1803 and section 90 of the Penal Code of 1852, applicable to the Slave Trade. And, in fact, the German Confederation declared, when she on her side adopted the principles of the Treaty (so often referred to) on the 19th June, 1845, in the twenty-first sitting, section 227, that "the Trade in negroes in those States whose laws do not mention piracy in particular is to be punished with the penalty for kidnapping, or a heavy penalty of similar nature."

But, since in Austria the crime of treating a man as a slave, from the Imperial resolution of the 25th June, 1826, forms a quite special kind of violence distinct from

kidnapping, and is treated as such in the Penal Code of the year 1852, section 95, the general rule as to kidnapping cannot be applied to the Slave Trade.

Besides, the definition of kidnapping would make no difference as to the competency of Courts of law; in both cases, when the Trade is carried on in Austrian ships, Austrian Courts alone are capable of adjudicating.

This assertion is grounded on the explicit declaration of Article X of the Treaty so often referred to, and it agrees with the principle, recognized in the rights of nations, that a ship is to be looked upon as a part of the territory of the State under whose flag she is entitled to sail. A modification of this principle seems to the Imperial Government unnecessary and injurious in its results.

Before a country gives a trading ship the right to sail under the national commercial flag, she requires proof that the owner of the ship, its captain, and, at least, the greater part of the crew, are her subjects; and she insists on certain pledges being given to exclude all fear of her flag being used by foreign speculators. If, however, the ship has answered these requirements, and has in consequence been enabled to sail as a national merchant ship, the State undertakes the obligation to protect it on its course, and for that object to uphold the authority of the State, viz., its legislative, executive, judicial, powers on board the ship, to bring them into operation, as far as possible, just as on a fraction of the soil itself. The State cannot divest itself of this obligation even should the owners or the crew of the ship, in the prosecution of their trade, become guilty of a criminal action, and not even in the case of their taking part in the Slave Trade. The nationality of the ship is not forfeited by such a contingency. On the contrary, the practical results then appear in full activity, for in case of punishment being required the national law must be reverted to, and a judgment of the national Courts must be given on the guilt or innocence of those brought before them. Other States cannot dispute this right or place themselves beyond it; however vile may be the crime it was not committed against them as marine commercial States; this pitiless Traffic is opposed to the moral feelings of all civilized nations, but it does not imply direct assault on their real interests, giving them a right to do themselves justice. With these views the Treaty of the year 1841 fully harmonises; for, if in it each of the contracting States promises co-operation to the others in the execution of the police of the high seas on its own trading ships, this is only done that the execution of national legislative and judicial powers may be practically so much the more effective and so much the more extensively brought to bear.

The case is quite different of ships that make "piracy" their trade. To such a trade no State can give its sanction, even when the ship had been originally entitled to bear the national flag: this right is justly regarded as forfeited and void from the moment that the symbol of a right to the prosecution of commerce is misused as a covering for an undertaking whose aim is of a directly contrary nature, viz., the destruction of all commerce. The pirate ship goes to war upon its own account with all seafaring nations, and is free as air towards them. Whoever brings to and overpowers such a ship recognizes in it, not a ship subject to any State, but a common enemy of all naval Powers, which they may deliver to the Courts of their own country for judgment without fearing international reclamation or protest.

On such views Austria has ever taken her stand, and she has often had occasion to combat piracy in the Grecian Seas: she has given them expression in her code of laws.

The consequence of the complete identification of the Slave Trade and piracy proposed by the Government of Great Britain would thus be: that the subjects of each of the Contracting Powers who might be in the ships suspected of complicity with the Slave Trade would be taken from their own judges without appeal and subjected to Courts for the judgment of piracy in the country of the ship which had brought them to. These Courts would probably be martial Courts and proceed formally according to the articles of war of their country, but would have no consideration for the laws of the country of the accused, which however, in a subjective point of view, are alone competent to decide his guilt and punishment. Also the ship, as was before said, has lost its national character, and must expect its confiscation to be conducted according to foreign laws and by foreign judges. In a word, any State that accepted this proposal must first give up its sovereignty over ship and crew for the benefit of a foreign State, not even exercising in this instance the right of self-protection, because the ship has neither directly violated its rights of sovereignty nor shown any enmity to them. Such an unconditional surrender of national rights could not be justified by the fullest reciprocity, for the protection which a State owes to its subjects cannot form the object of a national exchange. Lastly, it must not be overlooked that the judicial proceedings against pirates are generally very simple; the decision as to guilt or innocence very easy; whereas the judicial procedure on suspicion of complicity in Slave Trade must be very difficult and complicated, because it is most

rare to bring before the Court a ship broken open with its cargo of slaves on board. There is much more often brought a weak tissue of purely objective evidence, very dangerous in its application (codified in Article IX of the Treaty of 1841), and this, with the setting up of a fabric of counter evidence, forms the main object of the proceedings and the substratum of the judicial decision. But the more uncertain and dangerous such a knowledge of the nature of the subject shows things to be for the accused, the more must each State feel itself bound not to give its subjects up out of its own hands, but to keep them before their own Courts and in the way of remission and mercy from the prince of the country to which they belong.

On these grounds, the Imperial Government does not think it advisable to undertake a change in the laws at present in force in this country, or in existing Treaties for the suppression of the Slave Trade; and the Undersigned, in submitting the above for the perusal of Her Majesty's Government, avails himself, &c.

(Signed)

MENSDORFF.

BRAZIL. (Consular)—Bahia.

No. 24.

Consul Morgan to Earl Russell.—(Received February 4, 1864.)

My Lord,

Bahia, December 31, 1863.

I HAVE the honour to transmit herewith the half-yearly Return of the prices of slaves in this city.

I have, &c.
(Signed) JOHN MORGAN, Jun.

Inclosure in No. 24.

RETURN of the Prices of Slaves within the District of the Consulate of Bahia at the respective times undermentioned.

	For the half-year ending June 30, 1863.			For the half-year ending December 31, 1863.		
	Currency.	Sterling.		Currency.	Sterling.	
	Reis.	£	s. d.	Reis.	£	s. d.]
African Males	1,200\$000	130	0 0	1,500\$000	162	10 0
„ Females	1,000 000	108	6 8	1,000 000	108	6 8 ½
Creole Males	1,000 000	108	6 8	1,200 000	130	0 0
„ „ with profession	1,500 000	162	10 0	2,000 000	216	13 4
„ Females	600\$ to 800\$	65	0 0 to 86 13 4	800\$ to 1,000\$	86	13 4 to 108 6 8

British Consulate, Bahia, December 31, 1863.

(Signed) JOHN MORGAN, Jun., Consul.

No. 25.

Consul Morgan to Earl Russell.—(Received February 4, 1864.)

My Lord,

Bahia, December 31, 1863.

I HAVE the honour to transmit herewith to your Lordship the accompanying lists, Nos. 1 and 2, of the trade between this port and the coast of Africa during the quarter ending this day.

I have, &c.
(Signed) JOHN MORGAN, Jun.

Inclosure 1 in No. 25.

LIST of Vessels which have Entered the Port of Bahia from the Coast of Africa, during the Quarter ending December 31, 1863.

No.	Date of Entry.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whence.	Days out.
1	Oct. 18	Brazilian	Schooner	Carlota	135	10	J. A. D. Silva	Unknown	General	Acará	33
2	Nov. 6	Portuguese	Yacht	Águia	105	6	F. C. A. Ré	Ditto	Ditto	Lagos	35
3	„ 16	British	Barque	Florence Nightingale	220	12	W. Seaford	L. Gruning	Ballast	Brass	49
4	„ 27	Italian	Smack	Giulietta	62	7	L. Margoletti	Unknown	General	Lagos	70
5	„ 29	Ditto	Schooner	Emilia	143	9	— Torcello	Ditto	Ballast	Ditto	53
6	Dec. 3	Hamburgh	Ditto	Sylphide	180	8	— Keoford	Ditto	Ditto	Ditto	21
7	„ 21	Portuguese	Cutter	Porto Novo	72	6	Pedro M. Lauza	Ditto	Oil, &c.	Ajudá	30

British Consulate, Bahia, December 31, 1863.

(Signed) JOHN MORGAN, Jun., Consul.

Inclosure 2 in No. 25.

LIST of Vessels which have Sailed from the Port of Bahia for the Coast of Africa, during the Quarter ending December 31, 1863.

No.	Date of Sailing.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whither bound.
1	1863									
2	Nov. 5	Portuguese	Barque	Acaso	309	14	J. P. Mesquita	Unknown	Tobacco	Coast of Africa.
3	" 13	Ditto	Brig	Epcantador	279	13	A. de Lemos	Ditto	Ditto	Ditto.
4	" 30	Ditto	Brigantine	Fernandes	250	11	E. C. da Silva	Ditto	Ditto	Ditto.
5	Dec. 13	Ditto	Brig	Altivo	230	11	J. X. Fonseca	Ditto	General	Ditto.
6	" 27	Ditto	Ditto	Mondego	334	14	— Mesquita	Ditto	Tobacco	Ditto.
6	" 31	Italian	Schooner	Emilia	179	9	G. Tortello	Ditto	Ditto	Ditto.

British Consulate, Bahia, December 31, 1863.

(Signed)

JOHN MORGAN, Jun., Consul.

No. 26.

Consul Morgan to Earl Russell.—(Received May 5.)

My Lord,

Bahia, March 31, 1864.

I HAVE the honour to transmit herewith to your Lordship the accompanying lists, Nos. 1 and 2, of the Trade between this port and the coast of Africa during the quarter ending this day.

I have, &c.

(Signed)

JOHN MORGAN, Jun.

Inclosure 1 in No. 26.

LIST of Vessels which have Entered the Port of Bahia from the Coast of Africa, during the Quarter ending March 31, 1864.

No.	Date of Entry.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whence.	Days out.
1	1864										
1	Feb. 3	Brazilian	Brig	Maria Rosa	171	11	B. Rodrigues	S. J. de Figueredo	General	Cape Mina	31

British Consulate, Bahia, March 31, 1864.

(Signed)

JOHN MORGAN, Jun., Consul.

Inclosure 2 in No. 26.

LIST of Vessels which have Sailed from the Port of Bahia for the Coast of Africa, during the Quarter ending March 31, 1864.

No.	Date of Sailing.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whither bound.
1	1864									
1	Jan. 2	Hamburgh	Schooner	Sylphide	155	8	— Keoford	Unknown	Tobacco, &c.	Coast of Africa.
2	Feb. 1	Brazilian	Yacht	Paraguassu	149	10	Jozé M. Cardozo	F. G. Moncorvo	Ditto	Ditto.
3	Mar. 3	Portuguese	Brigantine	Destinido	235	11	M. J. Brochado	Unknown	Ditto	Ditto.
4	" 18	Ditto	Barque	Ferreira Borges	456	16	José M. de Souza, Jun.	Ditto	General	Ditto.

British Consulate, Bahia, March 31, 1864.

(Signed)

JOHN MORGAN, Jun., Consul.

No. 27.

Acting Consul Baines to Earl Russell.—(Received August 5.)

My Lord,

British Consulate, Bahia, June 30, 1864.

I HAVE the honour to transmit herewith to your Lordship the accompanying Lists Nos. 1 and 2 of the trade between this port and the Coast of Africa during the quarter ending this day.

I have, &c.

(Signed)

H. B. BAINES.

Inclosure 1 in No. 27.

LIST of Vessels which have Entered the Port of Bahia from the Coast of Africa, during the Quarter ending June 30, 1864.

No.	Date of Entry.	Nation.	Class.	Name.	Tonn.	Crew.	Master.	Owner.	Cargo.	Whence.	Days out.
1	1864										
1	Apr. 5	Portuguese	Brig	Encantador	207	12	A. de Lemos	Unknown	Oil, &c.	Accra	20
2	May 12	Italian	Schooner	Emilia	143	10	F. G. Carena	Carena and Torre	General	Lagos	25
3	" 12	Ditto	Ditto	Julietta	62	8	G. L. Magroletti	Ditto	Oil, &c.	Ditto	28
4	" 12	Hamburgh	Ditto	Sylphide	140	8	F. Koeford	Wm. Oswald and Co.	Ballast	Ditto	26
5	" 28	Portuguese	Brig	Altivo	158	10	Xavier de Fonseca	T. Marques Moreira	Oil, &c.	Ajudá	26

British Consulate, Bahia, June 30, 1864.

(Signed) H. B. BAINES, Acting Consul.

Inclosure 2 in No. 27.

LIST of Vessels which have Sailed from the Port of Bahia for the Coast of Africa, during the Quarter ending June 30, 1864.

No.	Date of Sailing.	Nation.	Class.	Name.	Tonn.	Crew.	Master.	Owner.	Cargo.	Whither bound.
1	1864									
1	Apr. 16	Portuguese	Barque	Da. Francisca	392	11	T. V. de Carvalho	Unknown	Rum and tobacco	Coast of Africa.
2	May 1	Brazilian	Brig	Maria Rosa	271	11	B. Rodriguez	J. F. de Figuerida	Ditto	Ditto.
3	" 2	Portuguese	Ditto	Encantador	279	12	A. de Lemos	Unknown	Ditto	Ditto.
4	June 6	Hamburgh	Schooner	Sylphide	140	8	F. Koeford	Wm. Oswald & Co.	Tobacco	Ditto.
5	" 7	Italian	Ditto	Julietta	62	8	G. L. Magroletti	Carena and Torre	Rum and tobacco	Ditto.
6	" 8	Ditto	Ditto	Emilia	143	10	T. G. Carena	Ditto	Ditto	Ditto.

British Consulate, Bahia, June 30, 1864.

(Signed) H. B. BAINES, Acting Consul.

BRAZIL. (Consular)—Maranham.

No. 28.

Vice-Consul Wilson to Earl Russell.—(Received February 4, 1864.)

My Lord,

Maranham, December 31, 1863.

I HAVE the honour to inform your Lordship that there has been no renewal of the African Slave Trade within the district of this Vice-Consulate during the whole of the quarter ending on this day.

I have, &c.

(Signed) WILLIAM B. WILSON.

No. 29.

Vice-Consul Wilson to Earl Russell.—(Received February 4, 1864.)

My Lord,

Maranham, December 31, 1863.

I HAVE the honour to transmit to your Lordship a Return of the prices of slaves within the district of this Vice-Consulate on this 31st day of December, 1863.

I have, &c.

(Signed) WILLIAM B. WILSON.

Inclosure 1 in No. 29.

RETURN of the Prices of Slaves within the District of the Vice-Consulate of Maranham, during the Half-year ending December 31, 1863.

	Currency.		Sterling.			Remarks.
	Reis.	Reis.	£	s.	d.	
African Males	..	..	..	..	..	African slaves are so few and aged that no quotations can be given.
„ Females	..	..	..	..	..	
Creole Males	800\$000	to 1,100\$000	93	6	8	
„ „ with professions	1,000 000	1,200 000	116	13	4	
„ Females	700 000	1,000 000	81	13	4	

Exchange 28*d.* per milreis.

British Vice-Consulate, Maranham, December 31, 1863.

(Signed) WILLIAM B. WILSON, *Vice-Consul.*

No. 30.

Vice-Consul Wilson to Earl Russell.—(Received May 20.)

My Lord,

Maranham, March 31, 1864.

I HAVE the honour to inform your Lordship that there has been no renewal of the African Slave Trade within the district of this Vice-Consulate during the whole of the quarter ending this day.

I have, &c.

(Signed) WILLIAM B. WILSON.

BRAZIL. (Consular)—Pará.

No. 31.

Consul Perry to Earl Russell.—(Received February 4, 1864.)

My Lord,

Pará, December 31, 1863.

I HAVE the honour to inform your Lordship that there has been no renewal of the African Slave Trade within the limits of this Consulate during the quarter ending this day.

I have, &c.
(Signed) GERALD RAOUL PERRY.

No. 32.

Consul Perry to Earl Russell.—(Received February 4, 1864.)

My Lord,

Pará, December 31, 1863.

I HAVE the honour to inclose your Lordship a Return showing the average prices of slaves within my jurisdiction during the six months ending this day.

I have, &c.
(Signed) GERALD RAOUL PERRY.

Inclosure in No. 32.

RETURN of the Average Prices of Slaves within the District of the Provinces of Grand Pará and Amazonas, during the Half-year ending December 31, 1863.

	Currency.		Sterling.					
	Reis.	Reis.	£	s.	d.	£	s.	d.
African Males	1,000\$000	to 1,300\$000	112	10	0	to 146	5	0
„ Females	900 000	1,000 000	101	5	0	112	10	0
Creole Males	1,000 000	1,300 000	112	10	0	146	5	0
„ „ with trades	1,200 000	1,400 000	135	0	0	157	10	0
„ Females	1,000 000	1,100 000	112	10	0	123	15	0
Infants from birth to 5 years old .. .	400 000	600 000	45	0	0	67	10	0
Children from 5 to 14 years	700 000	800 000	78	15	0	90	0	0

British Consulate, Pará, December 31, 1863.

(Signed) GERALD RAOUL PERRY, *Consul.*

No. 33.

Consul Perry to Earl Russell.—(Received May 20.)

My Lord,

Pará, March 31, 1864.

I HAVE the honour to inform your Lordship that there has been no renewal of the African Slave Trade within the limits of this Consulate during the quarter ending this day.

I have, &c.
(Signed) GERALD RAOUL PERRY.

No. 34.

Consul Perry to Earl Russell.—(Received August 19.)

My Lord,

Pará, June 30, 1864.

I HAVE the honour to inform your Lordship that there has been no renewal of the Slave Trade within the jurisdiction of this Consulate during the quarter ending this day.

I have, &c.
(Signed) GERALD RAOUL PERRY.

No. 35.

Consul Perry to Earl Russell.—(Received August 19.)

My Lord,

Pará, June 30, 1864.

I HAVE the honour to inclose your Lordship returns showing the average prices of slaves within my jurisdiction during the six months ending this day.

I have, &c.
(Signed) GERALD RAOUL PERRY.

Inclosure 1 in No. 35.

RETURN of the Prices of Slaves during the Half-year ending June 30, 1864.

Description.	Currency.		Sterling.						Remarks.
	Reis.	Reis.	£	s.	d.	£	s.	d.	
African, Males	1,000\$	..	116	13	4	..	..	..	African slaves are old, and consequently of little value.
„ Females	800	..	93	3	8	..	..	..	
Creole, Males	900	to 1,200\$	100	0	0	to 120	9	0	
„ „ with trades ..	1,200	1,600	120	9	0	166	15	9	
„ Females	1,200	1,600	120	9	0	166	15	9	
Children from 5 to 14 years ..	400	1,200	46	6	9	120	9	0	

British Consulate, Pará, June 30, 1864.(Signed) GERALD RAOUL PERRY, *Consul.*

Inclosure 2 in No. 35.

RETURN of the Prices of Slaves within the District of the Vice-Consulate of Maranham, during the Half-year ending June 30, 1864.

Description.	Currency.		Sterling.						Remarks.
	Reis.	Reis.	£	s.	d.	£	s.	d.	
African, Males	..	..	..	..	..	..	..	..	African slaves are few and aged, therefore no quotations can be given.
„ Females	..	..	..	..	..	..	..	..	
Creole, Males	1,200\$	to 1,300\$	135	0	0	to 146	5	0	Are eagerly bought up by cotton planters.
„ „ with professions ..	1,300	1,500	146	5	0	168	15	0	
„ Females	1,100	1,200	123	15	0	135	0	0	

Exchange, 8\$889 milreis to 1*l.* sterling.*British Vice-Consulate, Maranham, June 30, 1864.*(Signed) WILLIAM B. WILSON, *Vice-Consul.*

Consul Perry to Earl Russell.—(Received August 19.)

(Extract.)

Pará, June 30, 1864.

I HAVE the honour to inform your Lordship that on the 19th of August last, I was petitioned by a Portuguese gentleman, named Senhor Feleciano Antonia Pereira da Cunha, to exert my influence with the then President of this Province, Dr. Brusque, to obtain the freedom of four persons unjustly detained in slavery by a person named José Monteiro Soares, and your Lordship will be pleased to learn that the result of my intercession, and a careful watch of the case in question, terminated in the final release from slavery of these poor creatures as far as the Law Courts of *Pará* are concerned; but as an appeal is about to be lodged to a superior Court at *Maranhão*, I have thought it advisable to transmit a sworn translation of this law suit, and the judge's decision in connection therewith, to your Lordship.

The following is a slight sketch of this distressing case :—

A lady named Donna Eliza Antunes de Almeida Raiol, residing in this city, died on the 22nd of October, 1859, and a few days previous to her death, she made her last will and testament, in which she philanthropically placed at liberty her four slaves, named Vergolino, Joaquin, Benedita, and Isidora, after her decease.

It appears, however, that the Notary Public, Senhor Gomez, a person of questionable character, instructed his clerk, Senhor Francisco Antonio de Paiva, at the instigation of the Senhora Raiol's husband, Senhor José Monteiro Soares, to fabricate the wording of the Senhora Raiol's will, by inserting, "To be free after my husband's death," or words to that effect, instead of "To be free after my death"; but always leaving the poor lady on her death bed under the supposition that the will had been drawn up in conformity with her earnest desires. I am told, Senhor Gomez, the Notary Public, received the sum of 300,000 reals for this detestable action.

There is something so unfeeling and despicable about this affair, that your Lordship will be surprised to hear that Mr. Soares and the Notary Public, Gomez, who conjointly perpetrated this foul act of inhumanity, have actually met with the support and sympathy of persons here, yet there can be no doubt that these four slaves are legally free from bondage, as several witnesses swore in open court the Senhora Raiol's will had been counterfeited, and the most important and prominent of these witnesses is Dr. Camillo José do Valle Guimaraes, a most distinguished physician of this city, whose oath no one could doubt.

In 1861 Benedita gave birth to a child, which is baptized and registered as a slave, under the name of Anna.

Vergino and Joaquin have been several times imprisoned.

Isidora, the most intelligent and spirited of these unfortunate persons, has been imprisoned, publicly flogged, and her head shaved (which is considered a most degrading punishment here) by the police authorities of this city, for very justifiably refusing to serve a man who was not legally her master.

My careful watch of this case during the past year has secured comparative freedom of action to these so-called slaves, but I greatly fear their troubles will shortly recommence, unless the Vice-President receives instruction from *Rio de Janeiro* to favour their cause.

P.S. Since I wrote the above I managed to procure a copy of the registry of Benedita's child as a slave, which I beg to inclose.

Inclosure 1 in No. 36.

Proceedings in the Law Suit concerning four slaves unlawfully detained in bondage by José Monteiro Soares.

(Translation.)

To the Municipal Judge.

Feliciano Antonio Pereira da Cunha requests an authentic copy of the papers concerning the law suit of Isidora, Benedita, Joaquim, and Vergolino, against José Monteiro Soares, instituted in the office of the Law Officer Bartholomeu José Viera, &c., requesting you may be pleased to grant that such a copy be made out.

Belem, Province of Pará, March 5, 1864.

(Signed)

FELICIANO ANTONIO PEREIRA DA CUNHA.

Bartholomeu Jozé Viera, a Notary Public for life of the district of this city of Sanct. Mary of Belem, capital of the province of Pará, and an official employed in the Registry-General of Hypothecs of the same district, for His Majesty the Emperor, whom God protect, &c.

Do certify in witness of the truth, to all men who these presents may see, that passing in review the law documents and petition for manumission, in which are prosecutors, the lawyer Alvaro Pinto de Pontes e Souza, as tutor of the coloured persons Isidora Maria do Carmo, Benedita Maria Florencia, Vergolino Antonio Candido and Joaquim Jozé de Sancta Anna. Defendant Jozé Monteiro Soares, therein, at folios 3, 7 to 9 and verso, 10 verso, 19, 20, 33, 34, 35, 63, 64, 65, 67, 68, 69, 70, 74, 75, 78 to 84, say 78 to 82, I find what is expressed in the petition retro, and the contents of which papers are the following :—

Petition.

To the Substitute of the Municipal Judge.

THE lawyer Alvaro Pinto de Pontes e Souza, in quality of tutor of the coloured persons, Isidora Maria do Carmo, Benedita Maria Floriana, Vergolino Antonio Candido and Joaquim Jozé de Sanct' Anna, and on behalf of the same, intends to proceed against Jozé Monteiro Soares, and begin a suit for the liberty of his clients, the reason for which the competent libel will expend; seeing that having called the defendant to conciliation, he declared himself unconciliated, as shown by the annexed documents, and for the said law suit, and for all further proceedings till the final sentence and execution, the petitioner requests that the defendant be intimated, under penalty for defaulting, &c. Hopes to be favourably granted.

Pará, November 19, 1860.

The tutor,
(Signed) ALVARO PINTO DE PONTES SOUZA.

Despatch.

LET him be called.

Pará, November 19, 1860.

(Signed) ABREO.

Libel.

By the present libel in a civil law suit, for their liberty, say the coloured persons Isidora Maria do Carmo, Benedita Maria Floriana, Vergolino Antonio Candido and Joaquim Jozé de Sanct' Anna, represented by their defensor the lawyer Alvaro Pinto de Ponte e Souza, against Jozé Monteiro Soares, their pretended master, say pretended master of the four prosecutors, in judicial form the following :—

1. That being very sick, but enjoying perfect reason, Dona Eliza Antunes Raiol Soares, married to the defendant, resolved on the 17th of October, 1859, to make her will, for which purpose, the defendant proposed to her a predestined writer, seeing that the said Dona Eliza could not do it in her own handwriting.

2. Will be provided—That the Notary Public, Manoel Raimundo Gomes being called by defendant, for the making of said will and judicial witnessing of the same on the said 17th of October, said Dona Eliza Antunes Raiol Soares declared that her testamentary dispositions were limited to the saying after her demise of three Chapels of masses, one for her soul, another for her late parents, and another for her relatives. Secondly, that having neither children or parents living, she instituted the defendant her heir, after fulfilment of the preceding disposition. Thirdly and finally, that she left free of all servitude, her slaves Isidora, Benedita, Joaquim and Vergolina, attending to the good services they had rendered to her.

3. Will be proved—That defendant wilfully, and seeing the said declarations (of course those regarding the giving liberty) availing himself of the circumstance, that on the said day there was not time for the drawing up of the will, promised his said wife that her wish should be fulfilled, and sent the Notary Gomes away.

4. Will be proved—That on the day following, 18th October, 1859, at the hour determined by the defendant, appeared the writer of the will, Francisco Antonio de Paiva, and the Notary Public Manoel Raimundo Gomes, and then and there the defendant showed to his wife a paper, telling her that this was the will she wished made for her, and that only her judicial approval was wanted, for which purpose the said Notary Gomes was present.

5. Will be proved—That the said will having been shown (folded) to the testatrix Dona Eliza Antunes Raiol Soares, and the words above mentioned said by the defendant,

she, Dona Eliza Antunes Raiol Soares asked again if her slaves, Isidora, Benedita, Joaquim, and Vergolino had been declared freed of all servitude after her death, seeing that she willed that they should serve no one else, and having received an affirmative answer, she consented to the approbation of the will.

6. Will be proved—That the said will, neither when shown to her as above said, nor previously, nor yet after its approval, was read by its writer, Francisco Antonio de Paiva, nor by any one else, to the testatrix Dona Eliza Antunes Raiol Soares; she having trusted the words of the Defendant, that her mentioned dispositions were written down; as she desired it.

7. Will be proved—That after what has been related, and the testatrix having been misled by the defendant as above shown, they proceeded to the judicial approval, giving also the entry to the room free to the notary, Gomes, and to the witnesses of the approval, called for the last-mentioned act.

8. Will be proved—That the said testatrix, Dona Eliza Antunes Raiol Soares, died four days after, on the 22nd of the same month of October, and that the will being opened, the fraud committed with the same was seen, Isidora, Benedita, Joaquim, and Vergolino, being declared free, "with the condition of serving the Defendant during all his life," regarding which stipulation, document number one is annexed.

9. Will be proved—That the coloured persons, Isidora Maria do Carmo, Benedita Maria Florianna, Vergolino Antonio Candido, and Joaquim José de Santa Anna, were declared free of all servitude by their late mistress Dona Eliza Antunes Raiol Soares, and that she ordained that it should thus be written and declared in her will.

10. Will be proved—That therefore the said coloured people, Isidora, Benedita, Vergolino, and Joaquim, are free, and are not obliged to do any service whatever to the defendant, and much less to remain in slavery, as he maintains, since the defendant considers them as his slaves, and as such has already committed the crime of having the coloured woman, Isidora, publicly chastised.

11. Will be proved—That from the time that the testatrix, Dona Eliza Antunes Raiol Soares, fell dangerously ill, it was always her intention, if she should come to die, to free, without condition or onus, her slaves Isidora, Benedita, Joaquim and Vergolino, and this she always declared, and especially regarding Isidora, the latter having waited with great charity on her mistress during her sickness, carrying her in her arms in a manner passing her power, and from the consequences of which she suffers to this day.

12. Will be proved—That the last dispositions for her will were expressed by Dona Eliza Antunes Raiol Soares in presence of several persons, and that when the defendant and writer, say, and the writer Paiva, on the 18th October, 1859, declared to the said testatrix that the slaves Isidora, Benedita, Joaquim and Vergolina were declared free of all slavery, she declared that she would die more contented, and thus she did die in the belief of the expressed benefit.

13. Will be proved—That the prosecutors and defendant are the identical persons mentioned.

14. That on these grounds, and lawfully, the present libel should be accepted, *si et in quantum*, that finally the prosecutors, Isidora Maria do Carmo, Benedita Maria Florianna, Joaquim José de Sant. Anna, and Vergolino Antonio Candido, may be declared free of all servitude, and the defendant condemned to pay them an indemnisation for the services done by them since the death of the testatrix, which sum they arbitrate, 2 contos and 600 milreis, besides the law-costs. P. R. e C. de J. and costs. The tutor, Alvaro Pinto de Pontes e Souza, with the mentioned document.

Clause of the Will.

I declare that I leave my slaves Isidora, Benedita, Joaquim e Vergolino, to serve my husband during his life, and after his death these shall be considered as freed, as if they had been born of a free mother, and which liberties I give to the said slaves for the love of God, and in consideration of the good services done by the same, and this declaration shall serve as their title of manumission.

Defendant's Answer.

Replying to the libel as folios seven, the defendant, José Monteiro Soares has to say against the prosecutors, Isidora Maria do Carmo and others, represented by their tutor, Alvaro Pinto de Pontes e Souza, in the present and most lawful way, and being needed, will prove—That what the libel alleges at folio seven is false, purporting that the defendant should directly, or through others, have concurred to alter the testamentary dispositions of his late wife Dona Eliza Antunes Raiol Soares, therefore he will prove

that the wife of the defendant, finding herself seriously ill, she told him that she wished to make her will, and in compliance with that request the defendant had the Notary, Raimundo Gomes called. He will prove that the said Notary (the), say, having presented himself at the house of the defendant on the 17th of October, 1859, the defendant conducted him to the room of his wife, and the Notary having told him to retire, he did so; after some time the Notary went out, saying that he would return, in order to conclude the testament, for which he took the articles with him. He will prove that on the following day the said Notary came, bringing Francisco Antonio de Paiva with him, who being conducted to the room of the defendant's wife, there, one of them wrote the will, and the other witnessed it, without the defendants taking any part in that business; therefore he neither called the writer, and neither was he present, as is falsely alleged in the libel, when the will was made. He will prove that, besides the Notary and the said Paiva, no one was present at the making of the will. He will further prove that, when the will was ratified, it was the defendant's wife who, with her own hand, handed the will to the Notary, requesting of him to ratify it; and that it is false, as the witnesses to the ratifications can certify by oath, that the deceased should have asked whether her slaves Isidora, Benedicta, Joaquim and Vergolina, were declared free of all servitude. All the rest is denied. He will prove that in this way the present defence should be accepted, with every lawful clause, so that when proven the prosecutors shall be judged culpable of having instituted the present suit, and the defendant absolved of the accusation and costs.

(Signed) JOAQUIM IGNACIO D'ALMEIDA.

Reply.

In reply, the tutor, Alvaro Pento de Pontes e Souza, says, for his clients Isidora, Benedicta, Vergolino, and Joaquim, that—

1. He will prove that all which is said in the libel at folio 7 is true, and quite the contrary of what is said in the defence, at folio 19.

2. He will prove that the defendant exerted all his influence, and in such a way, in the making of the will left by his wife Dona Eliza Antunes Raiol Soares, since at his request he knew the will was made in his favour; that is, that he would inherit the half of his wife's estate.

3. He will prove that he will was neither made nor read in presence of the said Dona Eliza Antunes Raiol Soares. Dona Eliza was sick, and in an interior alcove, and the will was made in the parlour. After having written the will in the parlour they presented it to the testatrix, in place of reading it to her, as they ought to have done; they only told her, "here is the will, exactly as you have wished it." Thereupon the testatrix said that she died with a tranquil spirit, because her wish was fulfilled, to leave free of all servitude her slaves Isidora, Benedicta, Vergolino, and Joaquim; and the remainder of her half to her husband, as also some masses to be said.

4. Will prove that it is true, that the will having been made and shown to the testatrix in the way and manner described at folio 7, the Notary, Manoel Raymundo Gomes, addressed himself to the testatrix, and asking, according to the usual form, and she confirming that this was her testament, &c., he, the Notary, certifying it, which certification he read to the said testatrix; then he bade her sign, and closed the will. But—

5. He will prove that, as mentioned at folio 8, the will was never read to the testatrix, and the Notary, Gomes, could not read it to her, as he was not the writer, nor had he anything to do with the dispositions or making of the said will.

6. Will prove that, as well before the making of the will (October 17, 1859) as after its being made (18th of the same month and year), the defunct testatrix most expressly declared what were her dispositions, and among them that she would free and had freed her four slaves Benedicta, Isidora, Vergolino, and Joaquim: and that after her death, she willed that they should serve no one; and so much so that, the will being certified, she called the mother of Vergolino to her bedside, say, she called the mother of Vergolino and Joaquim to her bedside, and said to her, "Gossip Candida, your sons remain free, and when I am dead take charge of them, because I wish that they shall serve no one else, and much is left to my husband."

7. Will prove—That the said declarations made by the testatrix Dona Eliza Antunes Raiol Soares, besides the liberty of her mentioned four slaves, and—read, in favour of the liberty of her mentioned four slaves, besides the cases above-mentioned, were made by her many days before the drawing up of the will, and also, after the certifying of the said will, to various persons that will be called as witnesses.

8. Will prove—That as well on the afternoon of the 17th as on the 18th, the testatrix, relatively to her will, declared what were her dispositions, and having made her will and approved the same, there being then present several persons, as will be shown opportunely.

9. Will prove—That the defendant, besides the very natural influence which he exercised upon his wife, as above-mentioned, was the person who ordered the way how to make the will, and is the true author of the change found in the testamentary contested clause, and he it is who misled the testatrix, who in good faith believed his words; he is a person in fact so addicted to slavery that in 1861 he had christened as his slave a child called “Anna,” daughter of Benedicta, who even admitting everything, was free by the very clause of the will, as folios 10 and verso, being born of a free body. Besides,

10. Will prove—That the defendant, being the person whom the change of the clause in the will and therefore the services of the four manumitted would benefit, naturally he is the originator of it. Thus,

11. Will prove—That as above explained, the present reply ought to be received, that being proved, what is required in conclusion of the libel at folio 7 may be granted, and also regarding the costs.

(Signed) PONTES E SOUZA.

I protest that having been sick, as well known, I could not hand the papers within the legal term.

(Signed) PONTES.

Answer to Reply.

I triplicate and protest, denying and will convince finally.

(Signed) JOAQUIM IGNACIO D'ALMEIDA.

Examination of Witnesses. Declaration of the Clerk of the Court.

On the 25th of September, 1863, in this City of St. Mary of Belem of Gram Pará, and in the residence of the Dr. Municipal Judge Romualdo de Souza Paes de Andrade, where I, scrivener, was present, the witnesses were sworn by the Judge, and by the Officer of the Tribune, Antonio Joaquim Juvenal Barbada, inquired as to their names, surnames, birthplaces, state, residence, and age, and they are as follows: and in faith of which I make the present annotation.

Written by me,
(Signed) BARTHOLOMEU JOSE VIERA.

First Witness.—Rebianna Maria do Espirito Santo, born in this city, single, lives by her industry, aged seventy years, more or less, residing opposite the Church of the Rosary of the Black Men. The witness was sworn on a book of the Holy Gospel, on which she formally laid her hand, promising to speak the truth so far as she knew and was asked, regarding the points of the libel, which was read to her. To the first she said that she knew perfectly the wife of José Monticero Soares, and was present at her death—read, that shortly before her death she made her will, ordering the Notary Manoel Gomes to do so, who, called in by the defendant, husband of the testatrix, appeared at the house of that lady, and she had no more to say regarding that point. And regarding the second she said, that the Notary Gomes, having appeared before the said testatrix, she declared to him, besides what more is said in the second article of the libel, that she left free of all servitude her slaves Isidora, Benedicta, Joaquim, and Virgolina, in consideration of the good services received of them, and had no more to say. Regarding the third, she said, that on the day when the said notary was called for the will he only came when it was night, and heard the declaration regarding the slaves, when he told the testatrix that he could not then and there write out her will, and would do so at home, and had nothing further to say. To the fourth, she said, that on the day following that on which the notary was called, said Gomes appeared with the will, and handing it to the testatrix, who accepted it, the latter gave it to her husband, saying, who knows whether this will is such as I ordered it? and the husband answered, that it was exactly as she had ordered it to be drawn up; and the said notary then read the mentioned will to the testatrix. This the witness knows, because she saw it; and had no more to say to this or any other points. And the lawyer for the defendant having asked her to declare whether she, the witness, stood in any spiritual relationship with one of

the prosecutors, witness answered that she was god-mother to one of the prosecutors called Joaquim. The lawyer for the defendant asked further, that the witness should declare that, having sworn regarding the first point, that she knew that the notary had been called, and further circumstances that took place during the making of the will of the deceased wife of the defendant, because said lady told her so; and immediately afterwards the witness deposes that she knows, because she saw and was present when the will was made and certified, or whether she only heard the testatrix or some other person say about it. Witness answered, that she knew, because the testatrix told her. No more was said; and the deposition having been read, and she finding it in conformity to what she had sworn, it was signed by the Judge, tutor and lawyer for defendant, and the lawyer for the prosecutors, for the witness, who declared not to know to read or write.

(Signed) JOAO FRANCISCO DE NASCIMENTO.

I, Bartholomew José Viera, Scrivener, did write it.

(Signed) PAES DE ANDRADE.

On request,

JOAO FRANCISCO DO NASCIMENTO.

ANTONIO JOAQUIM JUVENAL BARBUDA.

JOAQUIM IGNACIO DE ALMEIDA.

Second Witness.—Dr. Camillo Jozé do Valle Guimarães, Physician, bachelor, born in this city, Inspector of the Sanitary Department, aged 51 years, residing Travissa da Misericórdia, district of the Campina. The witness was sworn on a book being the Holy Gospel, on which he laid his hand formally, and promised to say the truth as far as he knew, and was asked and said no more. The witness was then questioned by the lawyer for the prosecutors regarding the items of the libel which was read to him. Regarding item the first, he said that he knows that the wife of the defendant made a will, being in the perfect enjoyment of her mental faculties, he having been the assisting physician, and had no more to say on that topic. Regarding the second item, he said that he never saw the Notary near the testatrix, nor in her house, and that he (the witness) was not present at the making of the will, but that he heard the testatrix say that it was her will that the slave Isidora and others, whose names he does not remember, should remain free, and this was said in the presence of her husband; and witness had no more to say on this point nor any others.

The lawyer for the defendant did not contest the deposition of the witness. And the deposition being read, and found according to what he had sworn, witness signed with the Judge, the lawyer who made the examination, and the counsel for the defendant; and in witness of the truth it is I, Bartholomeu Jozé Viera, Scrivener, who wrote the present.

(Signed) PAES DE ANDRADE.

DOCTOR CAMILLO JOSE DO VALLE GUIMARAES.

ANTONIO JOAQUIM JUVENAL BARBUDA.

JOAQUIM IGNACIO DE ALMEIDA.

Examination of Witnesses. Declaration of the Clerk of the Court.

On the 8th day of October, 1863, in this city of Sancta Maria de Belun do Grām-Pará, and house of residence of Dona Victorina Ignacia de Azevedo Rangel, where were present the Doctor Municipal Judge, Romoaldo de Souza Paes de Andrade, and myself, Scrivener of his department, and there, by the said Judge, were sworn the witnesses, and examined by the counsel for the prosecution regarding their names, surnames, birth-place, states, age, and residence, which are as follows; and in witness of which I made the preceding declaration. I, Bartholomeu Jozé Viera, Scrivener, did write the present.

Third Witness.—Dona Victorina Ignacia d'Azevedo Rangel, born in this city, single, aged 40 years, residing in the travessa dos Gaivotas, district of the Campina. The witness being sworn by the Holy Gospel, and on a book containing the same, on which she formally laid her right hand, promised to say the truth as far as to her knowledge, and as asked of her, and said no more. Being interrogated regarding the articles of the libel which was read to her, the witness said:—Regarding the first, second, and third, she knows, by seeing and being present, and having been called by the deceased Dona Eliza Antunes Raiol Soares, on the eve preceding her demise, on purpose to inform her, that she had freed her slaves Isidora her god-daughter, Benedicta, Joaquim, and Vergolina,

Jozé Monteiro Soares being present. The deceased said further to the witness, "Do I act well, cousin?" and she, the witness, replied, "You do very well, since the property is yours, and particularly as regards Isidora, who has served you well;" and she, the witness, said no more regarding these or other articles, not being further questioned. The attorney, Antonio Jozé da Roza, asked the witness on what occasion the deceased Dona Eliza Antunes told her what she had just deposed,—read, if there were any other persons besides the husband present on the occasion that the deceased Dona Eliza Antunes told her what she had just deposed; and witness answered that there were only herself and Jozé Monteiro Soares, and said no more. And the deposition being read, and found to agree with what she had said, and witness declaring that she could not sign in consequence of her physical sufferings João Antonio de Souza Bahia signed at her request for her; and further, the Judge, counsel, and attorney Rosa, in witness of the truth, I, Bartholomeu Jozé Viera, did write the present.

(Signed) PAES DE ANDRADE.

At the request of Senhora Dona Victorina Ignacio d'Azevedo Rangel,
(Signed) JOAO ANTONIO DE SOUZA BAHIA.
ANTONIO JOAQUIM JUVENAL BARBUDA.
ANTONIO JOSE DA ROZA.

Fourth Witness.—Maria Romana de Jezus, born in this city, single, lives by her industry, aged 49 years, more or less, residing Rua dos Flores, district of the Campina. Witness was sworn on a book containing the Holy Gospel, on which she formally laid her hand, and promised to say the truth as far as she knows and is asked, and said no more. Witness was then asked regarding the articles of the libel of the prosecutors. Regarding the first, second, and third, she said that she knows, because the testatrix told her so before and after making the will, and that she left her slaves Isidora, Benedicta, Joaquim, and Vergolina free and exempt of all servitude, such manumissions being deserved by the services they have rendered; also because such had been the request of her deceased husband, Alexander, and because she felt much obliged to her gossip and aunt Candida, and Dona Maria Raiol being present during this conversation. The witness said further that she saw the Notary, Gomes, read a paper in the parlour next to the room in which the testatrix was, saying that it was to be signed by witnesses; and the witness said no more, not being inquired further. The counsel for defendant being allowed to cross-examine the witness, he did so as follows:—He asked whether witness knows how many days the testatrix lived after she told her that she had made her will and left Isidora and others free. Answer. She was not sure how many days elapsed, but they were few days, and she said no more. Her deposition was read, and found to agree with what she had sworn; and she declared that she did not know how to write. Gentil Augusto da Silva Nobre, with the Judge, counsel who made the examination, and attorney for the defendant, and in witness of the truth, I, Bartholomeu Jozé Viera, Scrivener, did write the present.

(Signed) PAES DE ANDRADE.

At the request of Maria Romana de Jesus,
(Signed) GENTIL AUGUSTO DA SILVA NOBRE.
ANTONIO JOAQUIM JUVENAL BARBUDA.
ANTONIO JOSE DA ROZA.

Fifth Witness.—Luiza Maria Antonia, born in this city, widow, lives of her property, aged fifty-five years, residing Travessa das Gaivotas, district of the Campina. The witness was sworn by the Holy Gospel, on a book of which she laid her right hand formally, and promised to say the truth as far as she knows, and is asked, and as usual, said no more. Being asked regarding the articles of the libel which was read to her, she said, regarding the first, second, and third:—That she knew Dona Eliza Antunes Raiol perfectly, and knows, because being told by her, before and after she had confessed herself, that she had made her will, and in it had left free of all servitude her two grandchildren, Vergolino and Joaquim, as well as the little mulatto girl, Benedicta, her god-child, and Isidora, for the good service which she had received, especially of Isidora. The witness said further, that the mentioned Dona Eliza Antunes Raiol also told her, that she had a mind to open her will, to see whether it was conform, because she suspected that it was not to her liking, and that she did not do it because her gossip Candida told her, Do not open it gossip, because your husband, my gossip, is incapable of cheating you; and witness said no more, nor was questioned any further. The counsel for the Defendant being allowed to cross-question the witness, did so in the

following way :—He asked the witness how the whole name of the mentioned Candida is? Answer, Candida Maria do Rosario. And lecture being made of her deposition, and found conform with what she said, and declaring she knew neither to read nor write, at her request signed—Dunas Francisco d'Oliveira, the Judge, the Counsel who examined, and the attorney. In witness of the truth, I Bartholomeu José Viera, Scrivener, wrote the present.

(Signed) PAES DE ANDRADE.

At the request of Luiza Maria Antonia,

(Signed) DUNAS FRANCISCO DE OLIVEIRA.
ANTONIO JOAQUIM JUVENAL BARBUDA.
ANTONIO JOSE DA ROZA.

Examination of Witnesses. Scrivener's Declaration.

On the 8th day of October, 1863, in this city of Sancta Maria de Belem do Gram-Pará, and house of residence of Dona Maria do Carmo Valente Loureiro Faial, where was present, the Doctor Municipal Judge, Romeraldo de Souza Paes de Andrade, with myself, Scrivener of his department; and there were sworn the witnesses, there being also present the attorney for the defendant, and counsel for the prosecutors, and examined regarding their names, surnames, birth places, states, ages, and residence, and they are as below mentioned, of which, in witness of the truth, I wrote the present declaration. I, Bartholomeu José Viera, wrote the present.

Sixth Witness.—Maria do Carmo Valente Loureiro Faial, born in this city, married, lives in the Rua dos Martyres, district of the Campina, aged thirty-six years, more or less. Witness was sworn by the Holy Gospel, on a book of which she laid formally her right hand, and promised to say the truth as far as she knew and was asked, and as usual, said no more. Witness being asked regarding the articles of the libel which were read to her; regarding the first, second, and third, she said, that she went to visit the deceased Dona Eliza Antunes Raiol when she was sick, and that the deceased told her that she had made her will, by which she left free her slaves Joaquim, Vergolina, Isidora, and Benedicta, and exempt of all servitude. That when the said Dona Eliza Antunes Raiol died, she, the witness, went to dress her, and on that occasion she heard the will read (she does not remember who it was that read it), and on that occasion she heard in the declaration that the four mentioned slaves were left to José Monteiro Soares, during his life, at which the witness testified her surprise, and said to Candida Maria do Rosario that Dona Eliza Raiol herself said to her (the witness) that she left the four mentioned slaves free of all servitude, and witness said no more on this or other points, not being asked to do so. The attorney for the defendant then being allowed to cross-examine the witness, he declared that he had nothing to say to her. And her deposition being read, and found to agree with what she had sworn, and saying she could neither read nor write, at her request signed—Rufino Valente Loureiro, the Judge, the Counsel who examined her, and the Attorney for the Defendant. In faith of the truth, I, Bartholomeu José Viera, Scrivener, wrote the present.

(Signed) PAES DE ANDRADE.

At request,

RUFINO VALENTE LOUREIRO.
ANTONIO JOAQUIM JUVENAL BARBUDA.
ANTONIO JOSE DE ROZA.

Arguments.

By the libel at folio 7, the prosecutors demand to be declared free, according to the last dispositions of their mistress, Dona Eliza Antunes Raiol Soares, wife of the defendant, which by her death have become irrevocable. There is, in truth, nothing more natural than that a wife on her couch of suffering and death, should declare her last wishes to her husband, with the conviction that he will execute them. The husband however did not hesitate to abuse of the good faith of his wife, who he perceived was on the point of expiring, ordering a third party to write the will of his wife, affirming to her that it contained all her dispositions, and without ever reading it to her. And for what reason did the defendant act thus? On purpose to alter the last dispositions of his

wife, regarding the gift of liberty to the prosecutors, reducing them to slavery, in payment for the good services rendered to his wife. And the defendant in acting thus did not remember the certain consequences. Fortunately divine providence took care to protect the prosecutors, who were betrayed so inhumanly, by allowing that the wife of the defendant should yet have force and time to declare of her own impulse towards various persons (which are the witnesses that were sworn and examined for the prosecutors) her charity in leaving free of all servitude the prosecutors; and this it was, what the defendant did not foresee, since he experienced the displeasure of seeing and hearing his wife make such declaration to the third witness. And what a heavy and painful pang of conscience must the defendant have felt on that occasion! Even supposing, not conceding that the illegal, unjust, and inhuman clause were real, it never could, nor ought to be enforced, read, clause that the authors, read, the prosecutors should remain reduced in slavery to the defendant, were real; it never could nor ought to be enforced, not only because it is opposed to the love of God, and considering the good service rendered by the prosecutors to the testatrix, but also because natural liberty is not an object of transaction, and consequently as soon as the testatrix gave liberty to the prosecutors, and for the reasons above stated; the defendant cannot reduce them to slavery, when the gift of liberty was granted by the will of the testatrix.

By the clausula of the will at folio 10, and by the depositions of the six witnesses sworn and examined, folios 63 to 67, who affirm that the testatrix declared to them that she left the prosecutors free and exempt of all servitude, they have proved fully and to all evidence her clear intention. And for all the reasons alleged, and what the wisdom of the judge will further suggest, we hope he will sentence and conclude in favour of liberty read favourably to the libel, and the more so as the reasons in favour of liberty are always stronger and more to be considered than such as would tend to prove slavery, that forced situation which weakens the spirit, dulls the judgment, perverts the heart, and destroys all mettle and emulation for virtue, to use the phrase of the never forgotten Count of Sancta Cruse. The Royal Letters Patent of the 10th January, 1773, are very explicit in that respect. *Fiat Salut. Just. and costs.*

(Signed)

CUNHA MINENEIA.

Arguments of Defendant.

On the part of the prosecutors in this suit nothing less is attempted than the very obvious and clear counter sense to stigmatize as adulterated in bad faith (as appears by the libel at folio 7 and following, and petition at folio 65 and following) the dispositions of a will, provided with all the interior and exterior solemnity which the law prescribes for its validity, at the same time that the prosecutors pretend to base their pretensions on that very will. What a singular incoherency! A new species, and *sui generis*, submitted to the appreciation and judgment of our bar! Resuming, however, what has occurred, we will follow what has been said and asserted by the prosecutors, qualifying the same in synthetic method and according to the forms of law. “Reprobare non possum, semel probatum.” L 9, ff. “It must be supposed, according to this precept of jurisprudence, that whatever is based on an instrument is done so because of the conviction of the truth of all it contains, so that it no more belongs to him who approved it once to disapprove afterwards.” Merl. quest. de droit. Now, the prosecutors happen to be precisely in this condition, when, by the mentioned petition at folio 65 and in their argumentation, they thus base their petition on the very will of the defunct wife of the defendant, saying, *ipso verbis*, in the said petition, to be free through the very testamentary disposition, &c. And it behoves us at once to warn the learned Judge that the examination of witnesses of the prosecutors (of which more by-and-by) only treated of the first three points of the charge, nothing being said of the others nor either of the reply; these articulations containing, however, facts, sayings, and further circumstances of high importance, which need the necessary proof, and which remained reduced to that which in reality they are, that is to simple assertions deprived of a shade of proof, even of such contradictory depositions, weak in themselves and of palpable falsity, with which it is attempted to establish the three above-mentioned points of the charge. This established, we will proceed to the appreciation, say proceed to the accurate appreciation, of the depositions and further modes of proof shown by the prosecutors, a thankless and tiresome business, no doubt, but in the present case indispensable. The first witness (à folio 63) says, “that she heard the notary say to the sick person that he could not then make the will there in the house, but that he would do so in his own house, that he had first heard her declarations and on the day following would bring the will.” In the deposition it is sworn to be seen and heard, and it is contradicted in the cross-examination

when it is said "that she knew of the making and certifying to the will because the testatrix told her." She declared further, "that she is godmother of one of the prosecutors called Joaquim." This deposition of the first witness is defective for two reasons. 1stly. Through the circumstance that the witness is godmother of one of the prosecutors called Joaquim, as above said; therefore as, according to the canonical law and ecclesiastical jurisprudence, there exists between the godfather and godchild a spiritual relationship of the first degree (as expressed in the concilium of Tarent de Reform., explained by Rieger and Cuvall), and which relationship is also effective before the Civil Bar, the consequence is obvious, that the false and contradictory deposition of the said first witness must be suspected of partiality. Second reason. The contradiction of the witness, who swears and deposes to have seen and present and read, have been present at all the circumstances of the making of the will and certifying to the same, and in the cross-examination proceeds to refer to the defunct testatrix answering "to be aware of these facts, because during her life the defunct testatrix told her so." The perjury in this deposition is evident. There exists, however, another and palpable incredibility and falsity in the deposition of this first witness in this passage—"in which she refers to the defunct testatrix." We will not enter into this demonstration that it may serve as a simultaneous confutation of other depositions to the same purpose which exist among the papers, and which we will successively point out, as we go on, in our defence for the defendant. Actually, the deposition of the witness in question regarding the point read, regarding the leading article of the lawsuit, that of the supposed concession by testament of the unconditional liberties, which is disputed, shows a visible and flagrant contradiction compared to her former declaration "that she knew by seeing and being present;" and besides it dislocates and transforms the discussion of the topic, converting it to a mere psychologic act, belonging to the domain of philosophy. And how is now the flaw of such a deposition to be redressed? By what means inquire of the testatrix, to whose veracity the matter is referred? How, in truth, can we qualify it, this deposition being so contradictory, so devoid of credibility in Court or out of it? And how, even wishing to believe in it, can we overlook the fact established by the deeds, that, excepting those persons who intervened in the drawing up of the will, nobody further was present at these transactions? The deposition of the first witness for the prosecutors cannot logically be qualified otherwise than as a petition to begin with, that is the impossibility to solve the question by the same question. Such, in reality, appears to us the merit of the first position. And no doubt the same conditions exist in regard to subsequent declarations of the third and fourth witnesses regarding the questionable point which it is of such importance to clear up. Now this, which in philosophical language scarcely amounts to a psychological act of the working of the spirit, as we have indicated, certainly never could be qualified as a fact, to be submitted to the competency and appreciation of judges and tribunals, instituted to regulate upon the social mission of the *sum quique tribuere*. Till now we have treated regarding the depositions of the first, third, and fourth witness of the prosecutors, who deserve no credence at all, in view of the circumstances that occur in the matter. Now let us proceed to the second witness, at folio 64 and verso, Dr. Valle Guimarães; whose prudence and probity are proverbial in Pará, where that physician, a model of skill in his distinguished profession, and at the same time of modesty, is generally loved and respected as an apostle in the exercise of Christian charity. The depositions of that witness, in all respects entitled to credence, prove a good deal in favour of the genuinity of the contested will: he says,—“That the testatrix really did make it, and that he knows (although he did not happen to meet the functionary who wrote it at the house of his patient), and affirms as her assisting physician (of the testatrix) that she enjoyed her full judgment and reason, and consequently was incapacitated—read, consequently was able, in a civic sense, to dispose of her property as she did by a will.” This inference is of the highest consideration. We accept this disposition, which weighs so heavily in favour of the cause of the defendant. The rule of jurisprudence is this—*testem quam produco reprobare non possum*, with which the analogue disposition of our Ordinances, book 3, title 3—read title 55, paragraph 12, coincides. The fifth witness of the prosecutors.—The fifth witness at folio 68 and verso, Luiza Maria Antonia, whose deposition is also referred to the deceased testatrix. To her we may apply, *mutatis mutandis*, all that has been expended regarding the first witness of the prosecutors. But this witness above said, in referring herself to a defunct person, went yet further than the others in identical circumstances; and we have therefore to follow her deposition. This witness deposes,—“That the testatrix before she expired wished to open her will, in order to see whether it was drawn up according to her wishes, of which she was dissuaded by a cousin, Donna Candida Maria do Rozario.” This deposition is evidently false and perjured, deprived of all notion of veracity, and cannot in any way deserve credence in or out of Court, as

will now be demonstrated. The falsification and perjury of the deposition of this fifth witness in this, as in all further parts, is wittingly *primâ facie*, as we are going to demonstrate; because the testatrix was dangerously sick, and surrounded by a good many persons, and it is surprising that not one of these persons should know of so important a fact as the alleged one of the testatrix desiring to open her will. Therefore the fifth witness is in this circumstance, as in the remainder of her depositions, undeserving of credence, according to the rule of jurisprudence, *unus testis multus testis* (Ex ley ff. de Testib). But it yet behoves us to ponderate that the witness, having alluded to a Dona Candida Maria do Rozario, it would be right to examine the said Dona Candida also regarding that point, since the testatrix being dead and referred to, cannot be a witness; but this has not been done. It is true the deeds prove that the said Dona Candida was impeded from appearing in Court from motives of bad health, but then in that case she might have been examined at her residence, if so required to do by those whom her depositions interested, thus omitting to comply the well-known dispositions of the ordinations, who so pressingly recommend that all witnesses referred to shall be examined. Having thus, we believe, insubstantiated the false deposition of the fifth witness for the prosecutors, we now pass on to the sixth and last who was sworn in the suit. Sixth witness of the prosecutors.—The deposition of the sixth and last witness, at folio 69 versa and following, is also deficient and visibly false, because, like the first witness, it refers itself altogether to the defunct testatrix, and to it therefore may be applied the observations which we emitted regarding those witnesses, in its competent place, and to which we call the attention of the learned Judge; also it does not determine the time when she affirms that the testatrix should have told her that she had made her will, in which she left free of all servitude her slaves the prosecutors; nor, again, when it was that she returned to the house of the aforesaid testatrix, on the occasion of her demise. This deposition is visibly false and unsubstantiated; because she says that she heard the will referred to read, and affirms afterwards that she cannot remember the person who did so, which appears exceedingly strange regarding so recent an occurrence. And, further and finally, because the said witness, just as did the preceding one, refers herself to Candida Maria do Rozario, who was not examined in the suit, as she ought to have been. And this not having been done on the part of the prosecutors, the falsity and unsubstantiality of the deposition is undeniable. The falsity of the deposition of the sixth witness becomes quite evident by a simple confrontation with the deposition of the preceding fifth witness, who also refers to the same Dona Candida; and we call the attention of the learned Judge to the circumstance that, comparing these two depositions, we find them altogether at variance with each other, and they do not at all fulfil the legal requisites of being contested, and the witnesses making their declaration at full length; and further, on the contrary, it is visible that they vary and diverge from each other, so much so, that the sixth and last witness, with whom we now have to deal, does not even mention the fifth witness, nor the latter the former. And here we must again lament the want of the depositions of that Dona Candida. We substitute therefore in favour of the defendant, regarding the depositions in question, the same juristic dispositions which we have mentioned when we argued upon the preceding fifth witness, and by which dispositions the sixth and last depositions will be held as unsubstantiated, not deserving any credence in favour of the cause of the prosecutors. This then is what composes the vaunted suit, through witnesses on the part of the prosecutors; these the exaggerated proofs for a petition embellished with so much flourish; and all of which when submitted to the inexorable scalpel of analysis, fall one by one to the ground, fulminated by the radiant lustre of truth—truth but for a moment obscured. Let us, however, continue to review what further may appear from the deeds. By the petition and deed of appeal at folio 25, the defendant saved his responsibility in not having a special counsel in the suit to speak against the prosecutors. The assertions of the prosecutors, at folio 74 and following, contained in substance an apotheosis against the existence of servitude among us. This is a social institution, for which the defendant cannot be responsible, setting aside the humanitarian question, as convenient to treat according to the rules of charity such slaves as yet exist; a topic which does not belong to the question, and it is impossible to avoid that there should appear at one bar reclamations and suits, identical in their species with the one now in hand, till the higher powers do abolish the ruling legislation, which allows the state of slavery among us, indemnifying their—read, indemnifying such as possess them, as their lawful property. But in the course of law, certainly the learned judges cannot avoid to enforce such legislation as is existing; if not, good-bye to property, farewell to hereditary rights and legitimate succession. And under such conditions, as the prosecutors have not proved their charge, which is inadmissible, either in the existing legislation or by the subsidiary

of common law, which we have pointed out, and hoping the prosecutors will be sentenced losers in the law-suit by them instituted and the costs incurred.

(Signed) ALMEIDA.

And nothing further was contained in the deeds and papers referred to, which in faith of the truth, I had transcribed from the originals, to which I refer myself and with which I compared this authentic copy, and which I have signed, together with the scrivener my colleague, and done in this City of Sancta Maria de Belem of Gram, Pará, 22nd March, 1864.

(Signed) BARTHOLOMEU JOSE VIERA, *Notary*.
And with me the Scrivener,
M. MARQUES DE LIMA.

I, the undersigned, a sworn translator in the City of Sanct Mary de Bellem, Pará, certify that what precedes is a faithful translation of a law suit, examination of witnesses, and pleading in the Portuguese language, handed to me for that purpose by Gerald Raoul Perry, Esq., Her Britannic Majesty's Consul in this city.

Inclosure 2 in No. 36.

(Translation.)

To the Dr. Municipal Judge.

FELICIANO ANTONIO PEREIRA DA CUNHA requests an authentic copy of the sentence passed by you in the lawsuit in which Isidora, Benedicta, Joaquim, and Vergolino are prosecutors, and José Monteiro Soares defendant and requesting that you be pleased to grant such a copy to be made out.

Belem, Province of Pará, March 21, 1864.

(Signed) FELICIANO ANTONIO PEREIRA DA CUNHA.

Bartholomeu José Viera, notary public for life of the district of this city of Sanct. Mary at Belem, capital of the province of Pará, and an official employed in the Registry General of Hypothics of the same district for His Majesty the Emperor, whom God protect, &c., do certify, in witness of the truth, to all persons who these presents may read, that this is a faithful copy of the law proceedings for manumission, wherein appear as prosecutor the lawyer Alvara Pinto de Pontes e Souza, as tutor of the coloured individuals Isidora Maria do Carmo and others, as per folios 83 to 85, and verso, and as explained and petitioned in the petition preceding, and the contents of the said law proceedings are as follows:—

Considering these documents, &c., it is maintained on the part of the manumitted prosecutors, Isidora, Benedicta, Joaquim, and Vergolino, that Mistress Eliza Antunes Raiol Soares, wife of the defendant, being 'on the eve of death, determined, among other things, that it should be declared in her will that the mentioned prosecutors should remain free of all servitude. On the part of the defendant, it is alleged that it is a falsehood; that he personally, or some one else on his behalf, should have concurred to alter the testamentary dispositions of his late wife, considering that he was not present when the will was made, which was made out by a third party; and the defence concludes by the petition that the prosecutors may be condemned as responsible for the suit they have instituted.

All of which taken in consideration, it being a rule in beneficent contracts "that the contract shall not be prejudicial either to the party who passes it nor to him who receives," Thomasio notes, under title "De Inst. quib. mod. recontrahat obl., Loureiro Instr. do C. Bras," paragraph 494—It follows that the beneficent and humane contract, giving liberty, would become inefficient if it were allowed that the onerous condition of serving for all his life a given person, were admitted—as happens in the present instance; considering that the benefited might very possibly die earlier than the person they are to serve, and thus would never enjoy the intended benefit. And this condition becomes yet more prejudicial to the benefited when the person towards whom they are to fulfil it is young and likely to live many years, as is the case with the defendant. If the condition for servitude during an unlimited time was admitted, as the defendant claims, the grant of liberty would be fantastical, the intention of the testatrix to recompense services rendered by the prosecutors would be thwarted, and thus the greatest injustice would be consummated.

Thus, even admitting the validity of the testamentary condition which it is said has been surreptitiously added—putting in parallel the benefit of liberty and the pernicious condition of servitude during all the life of the defendant, the former prevails over the latter, which is nullified, because the reasons in favour of liberty are more powerful and deserving of consideration than those that are opposed to it.—Law of the 1st of April, 1680. Royal Charter of the 16th of January, 1773, treating of liberty:—Slavery is an usurpation of justice, because the slave is a being gifted by nature with reason and liberty, seeing that he is a human creature. Society, however, has tolerated this usurpation for its interest. But the property of slaves has ever been considered among us as deprived of many of the attributes of other property, because the slave, reduced by a fiction to be considered an object, is in reality a person who keeps certain rights, for instance, that of self-preservation, and he even enjoys his free-will, since society itself punishes him in the same manner, more or less, and in the same cases, when it punishes the citizen, thus holding the slave capable to infringe voluntarily some lawful obligation.

Liberty, therefore, being reconquered through any means, cannot again be limited arbitrarily by any one, because the enfranchised begins to enjoy the rights of a citizen, as stipulated by the VIth Article of the Constitution of the Empire; and therefore in this new position the manumitted cannot be obliged to serve against his will, there being no law to that purpose, and no one is obliged to do but that which is ordered by law.—Constitution and Criminal Code, Article CLXXX:—The prosecutors remained free since the demise of their benefactress, because from that moment the testamentary disposition became irrevocable. It is thus worded:—"Which liberty I give to the said slaves for the sake of God, and in consideration of the good services rendered by the same."—Documents, at folio 10. Therefore, their liberty having began at once, the prosecutors cannot be obliged to servitude. If there should exist anything contradictory in these dispositions, it must be interpreted in favour of the prosecutors, considering the testimony of the witnesses at folio to folio ; and all of them affirm that they repeatedly heard the testatrix declare that it was her intention that the said prosecutors should remain free of all servitude.

Therefore, and in consideration of what appears further from the proceedings, I sentence the prosecutors free of all slavery, and therefore not owing to the defendant any service. Let the defendant pay the law costs to which I condemn him.

Belem, March 18, 1864.

(Signed)

ROMUALDO DE SOUZA PAES DE ANDRADE.

And nothing more was contained in the said sentence than what is above copied and declared; and which I have well and faithfully transcribed from the original, to which I refer myself, and which I have compared with the present, and now subscribe in company with the law officer undersigned, in this city of Sanct. Mary at Belem, capital of the Province of Pará, this 20th day of March, 1864.

(Signed)

BARTHOLOMEU JOSE VIERA.
M. MARQUES LIMA.

No. 37.

Earl Russell to Consul Perry.

(Extract.)

Foreign Office, August 24, 1864.

I HAVE received your despatch of the 30th of June last, together with its inclosures, relating to the case of four negroes unjustly detained in slavery, and who, owing to your interference in their behalf, have obtained their liberty as far as the Law Courts of Pará are concerned.

I have in reply to observe that you have doubtless from philanthropic motives been induced to interfere in this case; and I do not object to your using your good offices in this or any similar case where your intercession may be of use in restoring to liberty persons unjustly detained in slavery.

You must, however, bear in mind that it is only on behalf of those negroes who may have been manumitted under the auspices of the Mixed Commission Courts, and who may be detained in servitude, that you will be entitled to interfere officially or to use the influence of Her Majesty's Government to procure for them the full enjoyment of their freedom.

No. 38.

Acting Consul Blandy to Earl Russell.—(Received November 20.)

My Lord,

Pará, September 30, 1864.

I HAVE the honour to inform your Lordship that there has been no renewal of the African Slave Trade within the jurisdiction of this Consulate during the quarter ending this day.

I have, &c.

(Signed) ALFRED ADDISON BLANDY.

BRAZIL. (Consular)—Rio de Janeiro.

No. 39.

Consul Westwood to Earl Russell.—(Received February 22.)

My Lord,

Rio de Janeiro, January 12, 1864.

THE question with reference to the free Africans who were sent to the Government works at Itapura has, I am aware, formed the subject of considerable correspondence between the Foreign Office and Her Majesty's Legation at this Court; and as Her Majesty's Government has evinced much interest in the fate of these Africans, your Lordship will, no doubt, hear with satisfaction that the Imperial Government appears at length determined to give them their full freedom.

The Official Gazette, transmitted herewith, contains a despatch from the Minister of Justice to the Minister of Marine (translation of which is annexed), by which your Lordship will see that the Minister of Justice requires that a list of the Africans employed at the naval establishment of Itapura may be furnished with as little delay as possible, in order that their papers of emancipation may be made out and transmitted to them forthwith.

If this measure is fully carried out it becomes all the more important as the Imperial Government will doubtless feel bound to do equal justice to the free Africans employed in other public establishments.

The last despatch from Mr. Christie to your Lordship on the subject of these Africans which I see published in the Blue Book, is No. 37 of the 24th of November, 1862.

I have, &c.

(Signed) JNO. J. C. WESTWOOD.

Inclosure in No. 39.

The Minister of Justice to the Minister of Marine.

(Translation.)

Department of the Affairs of Justice, Rio de Janeiro,

Most Illustrious and Excellent Sir,

December 21, 1863.

THE free Africans who are employed as labourers on the road and Colony of Itapura having acquired by regular period of service their right to freedom, I have to request that your Excellency will direct that a list of the said Africans be forwarded to me with as

little delay as possible in order that their respective papers may be made out and transmitted to them.

At the same time, your Excellency will inform the directors of that establishment, in reference to the instructions already furnished to him by the Department under your Excellency's control, a copy of which accompanied your despatch of the 11th of November last year (Article 8), that the clause in reference to the full acquisition of their freedom by the Africans who after six years' service in the establishment shall have given evidence of good conduct does not imply that until the expiration of that period (of six years), those who have completed the term of fourteen years marked by the Decree No. 1,303 of the 28th of December, 1853, shall cease to be reputed as emancipated, but merely signifies that even under these circumstances they must continue to reside within the district of the Colony, those only being freed from that obligation, and allowed to choose a residence according to their own inclination, who for the space of six years' service there have given evidence of good conduct, and thereby shown themselves capable of conducting their own affairs independent of any further supervision of the Government.

I avail, &c.

(Signed) J. L. V. CANSANCAO DE SINIMBU.

No. 40.

Consul Morgan to Earl Russell.—(Received August 5.)

My Lord,

Rio de Janeiro, June 20, 1864.

I HAVE the honour to transmit herewith extract from the Report of the Brazilian Minister of Justice, on the subject of emancipated Africans in Brazil.

I have, &c.

(Signed) JOHN MORGAN, Jun.

Inclosure in No. 40.

Extract from the Report of the Minister of Justice, presented to the Brazilian Legislature on the 18th May, 1864.

(Translation.)

TRAFFIC OF AFRICANS.—It is now more than eight years since one single debarcation of Africans has been realized; an incontestible proof of the loyalty and vigilance of the Brazilian Government, and the no less profound aversion which that inhuman and criminal commerce inspires to the Brazilian people.

Supposing the impossibility of the traffic, the Imperial Government hopes that a period will arrive in which the licit and natural commerce of this country with the seaboard opposite to us may be carried on without suspicion, and without danger to the African populations.

The Africans who have obtained their letters of emancipation since the last report, do not exceed 71, which with the 142 already emancipated, up to 31st December last, amount to 213.

Those emancipations are regulated by the decree No. 1,303 of 28th December, 1853, which establishes as a maximum of the time of hired service, to which those individuals are subject to private persons, a period of fourteen years.

By a resolution of the Council of State, the favour granted by that decree to the Africans employed in the service of private individuals, was made extensive to those working in the public establishments.

This decision was doubtless founded on justice, as the destiny of one class could not be different from that of the other, when the same identity of circumstances existed.

By the terms of the above cited decree, the emancipation of the Africans depends on their petitioning for it, a clause the Government will cause to cease as much as it may be in its power, in order to facilitate to those Africans the full enjoyment of their liberty.

Always with a view to facilitate the emancipation of Africans, the Government issued through the Ministry under my charge, the Aviso of the 4th June, 1861, in which it was ordered that all the Africans in the service of private individuals, who had completed their term of service, should be sent to the house of correction; a convenient measure in order that, free from the dependence of those who enjoyed their services, they might more easily avail themselves of the favour to which they have a right.

At sight, therefore, of such steps, within a short period no free African will be in the

service of private individuals, inasmuch as the last distribution of free Africans having taken place in 1852, the period of fourteen years is nearly completed, and the Government is disposed, as I before stated, to determine their emancipation without dependence on their petitioning for it, subjecting them only to the vigilance of the police.

As the work is not yet finished which my predecessor ordered to be organized, relating to the free Africans, it cannot be presented to you on this occasion, but I hope to do so in the proximate session.

No. 41.

Consul Morgan to Earl Russell.—(Received August 5.)

My Lord,

Rio de Janeiro, June 30, 1864.

I HAVE the honour to transmit herewith a statement of the prices of slaves in this city during the six months ending this day.

I have, &c.

(Signed) JOHN MORGAN, Jun.

Inclosure in No. 41.

RETURN of the Average Prices of Slaves within the District of the British Consulate at Rio de Janeiro, during the Half-year ending June 30, 1864.

Class of Slaves.	Prices, June 30, 1864.						Prices, in Sterling, of last Return, on June 30, 1864.											
	Currency.				Sterling.													
	Reis.		Reis.		£ s. d.		£ s. d.		£ s. d.		£ s. d.							
<i>Agricultural.</i>																		
Males	1,000\$000	to	2,000\$000	113	10	10	to	227	1	8	107	6	0	to	193	2	0	
Females	1,000 000		1,500 000	113	10	10		170	6	3	107	6	0		160	18	0	
<i>Domestic.</i>																		
Males	1,200 000		3,000 000	136	5	0		340	12	6	129	3	0		214	2	0	
Females	1,000 000		2,000 000	113	10	10		227	1	8	107	6	0		193	2	0	
<i>Mining</i> . . .	The same as Agricultural.																	
<i>Newly Imported</i> ..	None landed within the District of this Consulate.																	

British Consulate, Rio de Janeiro, June 30, 1864.

(Signed) JOHN MORGAN, Jun., *Acting Consul.*

No. 42.

Consul Morgan to Earl Russell.—(Received August 5.)

My Lord,

Rio de Janeiro, July 4, 1864.

I HAVE the honour to transmit herewith to your Lordship three lists, containing the names of free Africans to whom letters of emancipation have been ordered to be delivered.

In the number of those mentioned in inclosures Nos. 1 and 3, there are many, if not the greater part, who have served for more than twenty, some as many as twenty-six years, the private individuals to whom their services had been hired.

Those mentioned in inclosure No. 2, employed in the naval establishment at Itapura, belong to a lot, to the number of 300, who were transferred from the Government iron-foundry at Ipanema, in the province of St. Paulo, who have likewise served many years beyond the legal period marked by law for their emancipation.

I have, &c.

(Signed) JOHN MORGAN, Jun.

Inclosure 1 in No. 42.

(Translation.)

NOTE of the free Africans to whom, in accordance with the "aviso" of the 17th and 18th instant, Letters of Emancipation were passed.

Names.	Nation.	Names.	Nation.
Amaro	Mina.	Rufino	Congo.
Adriano	Ditto.	Ponciano	Cassange.
Anacleto	Congo.	Benedicto	Congo.
Anacleto	Angola.	Hilario	Ditto.
Antonina, female	Congo.	Julio	Angola.
Antero	Monjollo.	João	Ditto.
Agostinho	Angola.	Antonio	Ditto.
Arnalda, female	Moxicongo.	Laurentino	Congo.
Benedicta, ditto	Moçambique.	Cantildes	Moxicongos.
Benedicto	Mutiça.	Crispiniana, female	Ditto.
Bento	Benguella.	Cassiana, ditto	Motumbo.
Caetano	Congo.	Narcizo	Congo.
Candida, female	Moxicongo.	Ignacio	Oambo.
Camillo	Moçambique.	Tiburcio	Benguella.
Ciryaco	Moxicongo.	Florisbella, female	Onina.
David	Cabinda.	Francisco	Nobia.
Desidery	Congo.	Carlos	Congo.
Dionysia, female	Moxicongo.	Leopoldo	Ditto.
Eulalia, ditto	Benguella.	Caetano	Angolla.
Fausto	Congo.	Evaristo	Bombo.
Fabricio	Mina.	André	Congo.
Fredesundo	Bamba.	Luiza, female	Ditto.
Goncalo	Congo.	Bemoinda, ditto	Moxicongo.
Gallo	Quilimane.	Anastacio	Congo.
Idalina, female	Umbui.	Hermogeneo	Monjollo.
Izasias	Moçambique.	Anna, female	Cogunda.
João	Angola.	Jozé	Benguella.
Melicia	Garangue.	Benildo	Congo.
Martiniano	Wambo.	Limeão	Moxibita.
Marciano	Quilimane.	Lazaro	Mocena.
Paula, female	Angola.	Raphael	Moçambique.
Rita, ditto	Benguella.	Onofro	Chunga.
Primo	Congo.	João	Angola.
Antonio	Bacca.	Tacuos	Nago.
Manoel	Benguella.	Benjamin	Benguella.
Frederico	Moxicongo.	Beatriz, female	Noama.
Catharina, female	Benguella.	Miguel	Cabinda.
Olympia, ditto	Mina.	Pelagio	Mucena.
Cassiano	Benguella.	Lourenço	Angola.
Manoel	Cabinda.	Rufina, female	Muange.
Antonio	Congo.	Casimira, ditto	Bacca.
Baptista	Quilimane.	Maria, ditto	Cabinda.
Honorato	Congo.	Apollinaria, ditto	Benguella.
Demetrio Gonçalo	Ditto.	Albina, ditto	Bacca.

Rio de Janeiro, June 21, 1864.

Inclosure 2 in No. 42.

(Translation.)

NOMINAL List of the Free Africans existing in the Naval Establishment at Itapura, who were Emancipated by instruction of the Ministry of Justice, on the 25th of the present month.

Names.	Nation.	Names.	Nation.
André Pirataraca	Louvale.	Alipio Santiago Pequery	Moçambique.
Alberto Urubupungá	Benguella.	Aleixo da Limeira	Quilimane.
Antonio Taqaary	Ditto.	Braz Pindamonhangaba	Benguella.
Alexandre Campinas	Ditto.	Bento Iguatemy	Ditto.
Agostinho Piracicaba	Ditto.	Brigida Bertioga, female	Ditto.
Antenor Banré	Ditto.	Benedito Curussil	Moçambique.
Angelo Cabiamoia	Ditto.	Basilio Capivary	Congo.
Andronico Gameleira	Ditto.	Braz Cambayaroca	Rebolo.
Athanzio Carijó	Ditto.	Bernardino Corumbatahy	Ditto.
Apollinaria Alambary, female	Ditto.	Basilio Escopil	Louvale.
Anastacio Bariry	Nagó.	Casimira Cabriuva, female	Cabinda.
Adriano de Lorena	Ditto.	Crispino Jatahy	Ditto.
André Sorocaba	Moçambique.	Caetano Sambambaia	Moçambique.

Names.	Nation.	Names.	Naton
Cantidiano Mucury ..	Louvale.	Francisco Itupirú ..	Angola.
Cantido do Ivinheima ..	Ditto.	Felisberta Coaquira, female ..	Monjolo.
Crispiniano Vacaria ..	Angola.	Guilherme Brotas ..	Moçambique.
Cosme Banharão ..	Benguella.	Gregorio Macaúba ..	Ditto.
Canuto de Iguassú ..	Ditto.	Julião Treté ..	Congo.
Claudio Serra ..	Nago.	Honorata Pirataraca, female ..	Benguella.
Cyro Cananea ..	Ditto.	Herculano Guamá ..	Moçambique.
Claudiano Poconé ..	Louvale.	Jovita José do Itaquí ..	Ditto.
Cyrillo Araçatuba ..	Cabinda.	Joaquina Iguatemy, female ..	Benguella.
Damião Itupanema ..	Benguella.	Jacintha Corumbá, ditto ..	Ditto.
Deocleciano Aracangá ..	Ditto.	Ludgero Alambarý ..	Congo.
Daniel Lavradio ..	Ditto.	Lucinda Gameleira, female ..	Benguella.
Damasio Guarantinguêlá ..	Ditto.	Maria Bernarda Corumbatahy, ditto ..	Ditto.
Desiderio Tabatinga ..	Moçambique.	Olegario Santos Bertioğa ..	Moçambique.
Domingos Tatuhy ..	Ditto.	Paulo Guarany ..	Angola.
Deolindo Taubatê ..	Louvale.	Pelayo Ivahty ..	Moçambique.
Domingas Ivahty, female ..	Angola.	Rosendo Cubatão ..	Congo.
Eustaquio Jupia ..	Benguella.	Romão Guaimicanga ..	Moçambique.
Engracia Serra, female ..	Moçambique.	Silverio Queluz ..	Ditto.
Evaristo Parnahyba ..	Ditto.	Theodora Urulupungá, female ..	Cassange.
Florencio Curumbá ..	Ditto.	Vicente Manoel Jundiahy ..	Congo.
Florentino de Campos ..	Ditto.	Wenceslão Chavantes ..	Ditto.
Fulgencio Avanhandava ..	Ditto.		

Rio de Janeiro, June 28, 1864.

Inclosure 3 in No. 42.

(Translation.)

NOTE of the Africans ordered to be Emancipated by the "Aviso" of June, 28, 1864.

Names.	Nation.	Names.	Nation.
Antonio ..	Cabinda.	Rufina, female ..	Benguella.
Ernesto ..	Ambaca.	Ricardo ..	Congo.
Sabino ..	Congo.	Bernardino ..	Mutica.
Mariana, female ..	Cabinda.	Agostinha, female ..	Angola.
Ferino ..	Moxicongo.	Felisberto ..	Moange.
Simpliciana, female ..	Benguella.	Matheus ..	Cabinda.
Emiliano ..	Rebollo.	Daniel ..	Benguella.
Benedicta, female ..	Motembo.	João Sidronio ..	Suma.
Engracia, ditto ..	Benguella.	Patricio ..	Macua.
Profirio ..	Angola.	Adrião ..	Mozio.

Rio de Janeiro, July 2, 1864.

No. 43.

Consul Morgan to Earl Russell.—(Received August 19.)

My Lord,

Rio de Janeiro, July 20, 1864.

I HAVE the honour to transmit herewith two further lists of liberated Africans, to whom letters of emancipation have been ordered to be delivered.

In to-day's official Gazette, a notice is likewise made that the Minister of Justice has given instructions that 104 liberated Africans, employed in various departments in the province of Minas Geraes, should receive the letters of emancipation, but no list of names is given.

When published I shall hasten to transmit it to your Lordship.

I have, &c.

(Signed) JOHN MORGAN, Jun.

Inclosure 1 in No. 43.

(Translation.)

NOTE of the Africans to whom, in accordance with the "Aviso" of July 4, 1864, Letters of Emancipation were passed.

Names.	Nation.	Names.	Nation.
Thomé	Monjollo.	João	Angola.
Jacome	Ditto.	Delfina, female	Moxicongo.
Arnaldo	Congo.	Thomazia, ditto	Cacinde.
Amancio	Chuatama.	Rita, ditto	Canambe.
Antonio Cornelio Baptista	Angola.	Cesario	Congo.
Afonso	Congo.	Marianna, female	Cabinda.
Julio	Cabinda.	Eleuterio	Congo.
Fernando	Ditto.	Amancio	Ditto.
Bernardino	Congo.	Gervasio	Ditto.
Catarina, female	Moxicongo.	Januario	Ditto.
Eduardo	Macúa.	Jeronimo	Ditto.
Elisen	Cabinda.	Silvestre	Moange.
Eulalia, female	Benguella.	Malvino	Congo.
Epifanio	Chuatama.	Cassandra, female	Moxicongo.
Frederico	Bombe.	Deocleciano, ditto	Canhangó.
Florencio	Cabinda.	Romão	Benguella.
Francisco	Ditto.	Romão	Congo.
Henrique	Rebollo.	Joaquim	Benguella.
Leonardo	Chuatama.	Henrique	Congo.
Luiz	Quilimane.	Umbelino	Moange.
Marcellino	Cabinda.	Isabel, female	Congo.
Marcello	Moçambique.	Verissimo	Moteca.
Norberto	Mateca.	Bartolomeo	Benguella.
Olegario	Loango.	Gandilio	Mina.
Pantaleão	Quilimane.	Camillo	Cabinda.
Ventura	Ditto.	Gertrudes, female	Benguella.
Himeno	Ditto.	Bernardo	Massongo.
Lourenço	Topa.	Dionysia, female	Rebollo.
Romão	Congo.	Pompeo	Cabinda.
Deocleciano	Ditto.	Maria, female	Ditto.
Christovão	Angola.	Felicia, ditto	Moçambique.
Angelica, female	Benguella.	Eduwiges, ditto	Moxicongo.
Libanio	Cassenge.	Basilia, ditto	Quilimane.
Ivo	Benguella.		

Rio de Janeiro, July 7, 1864.

Inclosure 2 in No. 43.

(Translation.)

LIST of liberated Africans to whom, by Decree of 9th instant, Letters of Emancipation were ordered to be passed.

Names.	Nation.	Names.	Nation.
Manoel	Angola.	Basilio	Congo.
Joaquim	Minas.	Idalio	Xicunda.
Cursino	Ditto.	Dionisio	Congo.
João	Cabinda.	Conrado	Monjollo.
Emiliano	Ditto.	Dionisio	Mina.
Mariana, female	Mucena.	Quintiliano	Moçambique.
Maria, ditto	Angola.	Fructuoso	Congo.
Daniel	Cabinda.	Floriano	Mucena.
Lauriana, female	Benguella.	Athanazio	Congo.
Lourenço	Congo.	Manoel	Baca.
Joaquim	Mina.	Jacinta, female	Ditto.
Pedro	Ditto.	Frederico	Mina.
Josefa, female	Ditto.	Domingos	Moxicongo.
Manoel	Moange.	Antonio	Cabinda.
Elisario	Moxicongo.	Flavia, female	Angola.
Napoleão	Congo.	Damião	Ditto.
Domingos	Ditto.	Camilla	Quibunda.
Daniel	Moçambique.	Roberto	Chuatama.
André	Benguella.		

Rio de Janeiro, July 19, 1864.

No. 44.

Consul Morgan to Earl Russell.—(Received August 19.)

My Lord,

Rio de Janeiro, July 20, 1864.

IN an advertisement published in this city on the 13th instant, by the auctioneer, Manoel de Oliveira Sá, of the effects and furniture of a Brazilian lady who had retired to Europe, the names of the following slaves are also given, as they would equally on that occasion be put up for public competition, namely:—

“Julio, Mina, gives his mistress Rs. 1\$280 per day out of his earnings.

“Guilherme, creole, 26 years old, a perfect shoemaker, and gives 8 milreis weekly out of his earnings.

“Manoel, African, 24 years old, a perfect cook.

“Marianna, creole, 14 years old, a perfect lady's maid.

“Labina, mulatta, 22 years old, a very perfect lady's maid.”

The object of this despatch is to call your Lordship's attention to the African Manoel, who is thus publicly confessed to be only twenty-four years old, and consequently must be one of the many thousands who have been illegally imported against the law of the country, and treaty conventions with Great Britain.

As I do not consider myself authorized to call the attention of the Minister for Foreign Affairs to this subject, I lay the fact before your Lordship for any instruction you may be pleased to give in the matter.

The original printed advertisement I retain in the archives, in case it should be wanted.

I have, &c.

(Signed) JOHN MORGAN, Jun.

No 45.

Consul Morgan to Earl Russell.—(Received September 2.)

My Lord,

Rio de Janeiro, August 3, 1864.

I HAVE the honour to transmit herewith another list of liberated Africans (forty-four), to whom letters of emancipation have been ordered to be delivered.

From information received, it would appear that the number of liberated Africans in this city hired to private individuals, and employed in the public works, was—

At one time	4,089
Emancipated.. .. .	1,090
Dead	1,584
	2,674
To receive emancipation	1,415

Upon this subject which has at all times been a matter of interest to Her Majesty's Government, I hope shortly to be able to make a report to your Lordship, and as soon as I can obtain some further information which has been promised to me.

I have, &c.

(Signed) JOHN MORGAN, Jun.

Inclosure in No. 45.

(Translation.)

By Aviso of 28th instant, Letters of Emancipation were ordered to be passed to the following liberated Africans.

Names.	Nation.	Names.	Nation.
Florisbella, female	Rebolla.	Lourenço	Congo.
Zebediana, ditto	Canamá.	Camillo	Cabinda.
Faustino.. ..	Angola.	Evaristo.. ..	Benguella.
Gregorio	Cabinda.	Alberto	Chutama.
Apolinario	Benguella.	Francisco	Benguella.
Claudio	Cabinda.	Deocleciano	Quillimane.
Damazio.. ..	Congo.	Philomena, female	Congo.
Floriano.. ..	Angola.	Florisbella, female	Ditto.
Izidoro	Mozambique.	Roberto	Ditto.
Salvador.. ..	Ditto.	Izequiel	Ubaca.

Names.	Nation.	Names.	Nation.
Floriano	Ubaca.	Balbino	Psaho.
João Phyrro	Ditto.	Demetria, female	Mexicongo.
Hilarião	Ditto.	Adelino	Mucena.
Venceslão	Ditto.	Linguinho	Congo.
Dionizia	Ditto.	Bernardino	Angolã.
Deolinda	Ditto.	Benedicto	Mina.
Ambrozio	Ditto.	Roberto	Cabinda.
Eugenio	Congo.	Domingos	Congo.
Firmiano	Mossende.	Francisca	Benguella.
Antonio	Angola.	Marciano	Congo.
Capistrano	Mexicongo.	Floriano	Cabinda.
Mafalda, female	Benguella.	Protestato	Macua.

Total, 44.

Rio de Janeiro, July 31, 1864.

No. 46.

Consul Morgan to Earl Russell.—(Received September 19.)

My Lord,

Rio de Janeiro, August 13, 1864.

IN the "Official Gazette" of the 10th instant another list of liberated Africans was published, and to whom letters of emancipation were ordered to be delivered, copy of which list I have the honour to inclose herewith.

I have likewise read in the same Gazette of the 11th instant that the Minister of Justice has demanded a note of the liberated Africans serving in the Misericordia and Carmo Hospitals, in the National printing establishment, and in the departments under the Ministries of Finance, Empire, War, Marine, and Public Works; and, furthermore, that instructions have been transmitted to the President of the Province of Bahia for the emancipation of such liberated Africans who came under the provisions and conditions of the Decree No. 1303 of the 28th December, 1853.

I have, &c.

(Signed) JOHN MORGAN, Jun.

Inclosure in No. 46.

(Translation.)

NOTE of the liberated Africans to whom by the Aviso of the 3rd instant Letters of Emancipation were ordered to be passed.

Names.	Nation.	Names.	Nation.
Deocleciano	Massambe.	Amancio	Loanda.
Fabricio	Umbomba.	Amador	Cabinda.
Felizardo	Cassange.	Bento	Monjollo.
Gualberto	Mossombe.	Bartolomeo	Congo.
Gaudencio	Congo.	Bazilio	Cabinda.
Herminio	Loango.	Beltrão	Ditto.
Jonathas	Congo.	Bonifacio	Ditto.
Juvencio	Ditto.	Coriolano	Congo.
Jeronimo	Ditto.	Celino	Cabinda.
Izidorio	Magongongo.	Carlos	Ditto.
Lucio	Munuka.	Celestino	Ditto.
Leonardo	Congo.	Christovão	Congo.
Malaquias	Loango.	Clemente	Cabinda.
Ricardo	Moucangue.	Clementino	Ditto.
Reginaldo	Mossombe.	Constancio	Congo.
Severiano	Muzembe.	Cornelio	Cabinda.
Sebastião	Congo.	Desiderio Diniz	Ditto.
Felisbino	Cabinda.	Domiciano	Ditto.
Pompeo	Ditto.	Estacio	Moange.
Alfredo	Ditto.	Eliziario	Cabinda.
Anastacio	Ditto.	Fausto	Congo.
Aniceto	Mossorongo.	Felix	Ditto.
Gaudencio	Mossombe.	Fernando	Ditto.
Anselmo	Angola.	Felisbino	Ditto.
Agostinho	Congo.	Florencio	Ditto.
Adriano	Narusy.	Gaspar	Ditto.
Arsenio	Congo.	Gonçalo	Ditto.
Adronico	Cabinda.	Gualberto	Cabinda.

Names.	Nation.	Names.	Nation.
Guilherme	Congo.	Justiniana, female	Benguella.
Guilhermino	Ditto.	Mathilde, ditto	Ditto.
Gironcio	Ditto.	Martha, ditto	Ditto.
Hillarião	Cabinda.	Olegaria, ditto	Ditto.
Hypolito	Ditto.	Paula, ditto	Ditto.
Hongrato	Ditto.	Paulina, ditto	Ditto.
Julio	Ditto.	Amaro	Congo.
Antonio	Congo.	Amadeo	Cabinda.
Fabricio	Ditto.	Bernardo	Ditto.
Henrique	Mocumba.	Benevenuto	Congo.
Theofilo	Monjollo.	Balbino	Psalvo.
Vicente	Congo.	Custodio	Congo.
Felicio	Ditto.	Damaso	Ditto.
Hypolito	Benguella.	Emygdio	Cabinda.
Ignacio	Ditto.	Frederico	Ditto.
Jacob	Congo.	Conrado	Congo.
Ivo	Benguella.	Galdino	Cabinda.
Ladislão	Ditto.	Hygino	Ditto.
Lopo	Ditto.	Jordão	Congo.
Marcal	Monjollo.	Izidoro	Ditto.
Nuno	Benguella.	Justiniano	Cabinda.
Rozendo	Congo.	Braz	Ditto.
Tristão	Ganguella.	Marcos	Nondonga.
Angela, female	Canthidia.	Tito	Mina.
Claudina, ditto	Benguella.	Marcello	Congo.
Cornelia, ditto	Ditto.	Conrado	Chuatama.
Esperança, ditto	Ditto.	Cyrillo	Ditto.
Esmeraldina, ditto	Angola.	Simão	Mozambique.
Edeltrudes, ditto	Benguella.	Antonio	Ditto.
Edwiges, ditto	Ditto.	Ignacio	Ditto.
Feliciania, ditto	Ditto.	Bernardino	Cabinda.
Felicidade, ditto	Ditto.	João	Congo.
Florencia, ditto	Ditto.	Hilario	Mina.
Firmiana, ditto	Ditto.	Phamphirio	Moçambique.
Fructuosa, ditto	Ditto.	Clemento	Congo.
Galdina, ditto	Ditto.	Ernestino	Moxicongo.
Hermogerea, ditto	Ditto.	Manoel	Mozeugo.
Innocencia, ditto	Ditto.	Bento	Angola.
Justina, ditto	Ganguella.	Quilongo	Ditto.
Jannaria, ditto	Benguella.	Maria Adalina, female	Ditto.

Rio de Janeiro, August 10, 1864.

No. 47.

Consul Morgan to Earl Russell.—(Received September 19.)

My Lord,

Rio de Janeiro, August 16, 1864.

THE exact number of slaves existing in Brazil is a subject to which little attention has been given by the governing powers of this country to ascertain, although the law of 19th August, 1846, decreed that a general census of its population should be taken every eight years; while the Constitution of Brazil established the principle that the representation of each Province in the General Legislative Assembly should be based on the total amount of its respective populations.

The first and only census taken in Brazil was in the year 1819, during the dominion of Portugal, and the total number of its inhabitants was then found to be 4,400,000 souls. Later, in 1834, owing to the active traffic then carried on in slaves, the population was considered to consist of 5,000,000 of free, and 3,000,000 of slave, inhabitants.

Very recently a Senator in the Upper Chamber gave some information on this matter, as the result of studies he had made after a careful review of the reports of the Presidents of the Provinces during the course of several years past, which information I conceive may be interesting to your Lordship, as it proves, from the only statistics obtainable, that mortality has made a great inroad in the slave population of Brazil since the cessation of the traffic.

That Senator calculates the free and slave population of the Empire as follows :—

Provinces.	Free.	Slaves.	Provinces.	Free.	Slaves.
Amazonas	68,000	1,000	Espirito Santo ..	50,000	15,000
Pará	300,000	20,000	City and Province of		
Maranhão	330,000	70,000	Rio de Janeiro ..	1,000,000	400,000
Piauhv	200,000	20,000	St. Paulo	700,000	80,000
Ceará	504,000	36,000	Paraná	80,000	20,000
Rio Grande do Norte ..	200,000	25,000	Sta. Catharina ..	135,000	15,000
Parahyba	250,000	30,000	S. Pedro do Sul ..	380,000	40,000
Pernambuco	1,040,000	260,000	Minas Geraes ..	1,400,000	250,000
Alagoas	250,000	50,000	Goyaz	205,000	15,000
Sergipe	220,000	55,000	Matto Grosso ..	95,000	5,000
Bahia	1,200,000	350,000	Total	8,607,000	1,757,000

I have, &c.

(Signed) JOHN MORGAN, Jun.

No. 48.

Consul Morgan to Earl Russell.—(Received September 19.)

My Lord,

Rio de Janeiro, August 18, 1864.

ONE of the many abuses complained of by the poor liberated African who has to receive his letter of emancipation, is the amount of the emolument hitherto illegally claimed by the Scrivener of the Judge of Orphans, on making out his letter of emancipation, and which emolument many of those Africans had no means to pay, when his title of freedom was retained, until he earned sufficient to redeem it.

I am happy to be able to transmit to your Lordship a translation of an *aviso*, addressed to the Judge of Orphans by the Minister of Justice, ordering that those titles of emancipation should be delivered to the liberated Africans without onus or expense whatsoever.

I have, &c.

(Signed) JOHN MORGAN, Jun.

Inclosure in No. 48.

Aviso of Minister of Justice respecting Letters of Emancipation to the liberated Africans.

(Translation.)

Ministry of Justice, Rio de Janeiro, August 11, 1864.

HIS Majesty the Emperor, before whom was laid the despatch you addressed to me on the 15th of July last, accompanied by the information given to you by the Scrivener of the free Africans, respecting the fees he receives for the letters of emancipation which, through your Court, is delivered to the said Africans, in virtue of the Decree No. 1303 of 28th December, 1853, is pleased to order, after consulting the Councillor attached to this Ministry, that neither by the *Aviso* cited by him of the 16th February, 1852, or by the table of costs, is he authorized to receive such emoluments, and that you are to cause those letters of emancipation to be expedited with promptitude to the Chief of Police, free of all and every onus or expense, in order that those letters may, by the said Chief of Police, be delivered to the aforesaid Africans, which I communicate to you for your intelligence and proper execution.

God preserve &c.

(Signed)

ZACARIAS DE GOESE VASCONCELLOS.

No. 49.

Consul Morgan to Earl Russell.—(Received September 19.)

My Lord,

Rio de Janeiro, August 18, 1864.

I BEG permission to lay before your Lordship extract from a speech delivered in the Senate on the 10th instant, by the Minister of Justice and President of the Council,

in reply to the speech of another Senator on the subject of Lord Aberdeen's Bill, and the emancipation of the liberated Africans in existence in Brazil.

His Excellency said, "That, in relation to the so-called Bill-Aberdeen, he could not see why its discussion had been brought forward, when the Budget of his Ministry was the subject before the House. Nevertheless, he would declare that that Bill was an act of violence against the sovereignty of Brazil, which offended an international right, and what had to be done in the question had already been practised, namely, solemnly to protest against that act. As to attempt to promote its revocation, it was a question not worth the while to remind the Government of, because it is one of those questions which cannot be attempted, except a Power is prepared to employ force in case of refusal. Now, as it is alleged that the Bill-Aberdeen was enacted as a coercive measure to enforce the cessation of the traffic, it would be out of all place to-day to say that, inasmuch as the traffic had ceased, the Bill ought to be revoked (applause). . . . To go and allege the cessation of the traffic and demand the revocation of the Bill, would be the same as to confess that that act had produced the desired effect.

"The noble Senator, who is always just in his appreciations when politics are not the order of the day, approved the solicitude which Government had shown in promoting the emancipation of the free Africans, and he had nothing further to add than to declare that in a very short period a decree would be issued, granting emancipation to all the remainder of free Africans.

"In regard to the free Africans sent to Itapura at the end of 1863, the Government, on the 16th July last, ordered letters of emancipation to be delivered to them, and although no information has hitherto been received that that instruction had been complied with, he had no doubt but that it would be."

I have, &c.

(Signed) JOHN MORGAN, Jun.

No. 50.

Consul Morgan to Earl Russell.—(Received October 1.)

My Lord,

Rio de Janeiro, August 30, 1864.

I HAVE the honour to transmit herewith another list of liberated Africans to whom letters of emancipation were ordered to be delivered on the 19th instant.

I have, &c.

(Signed) JOHN MORGAN, Jun.

Inclosure in No. 50.

(Translation)

LIST of liberated Africans to whom, by the Aviso of 19th August last, Letters of Emancipation were ordered to be passed.

Names.	Nationality.	Names.	Nationality.
Egas	Chuatama.	Miguel	Moçambique.
Wenceslao	Benguella.	Anastacio	Congo.
Cancio	Chuatama.	Gabriel	Ditto.
Verissimo	Mina.	Leandro	Ditto.
Maximiano	Moçambique.	Anna, female	Quillimane.
Carolina, female	Rebollo.	Catharina	Cabinda.
Josefa, ditto	Congo.	Theobalda da Rocha, female	Benguella.
Jeremias	Benguella.	Thomazia, ditto	Ditto.
Eugenia, female	Ditto.	Alberto	Ditto.
Manoel	Monjollo.	Dezideria, female	Moxicongo.
Fabiano	Congo.	Cypriana, ditto	Rebollo.
Josefa, female	Rebollo.	Ildefonso	Cabinda.
Jozé	Muangé.	Candido	Engongo.
Catharina 2a, female	Ditto.	Joaquim	Angola.
Justina, ditto	Benguella.	Izaac	Moçambique.
Simão	Moçambique.	Adrião	Monjollo.
Fernando	Congo.	Matheos	Benguella.
Luiza, female	Mucena.	Pulcheria, female	Umbongo.
Domingos	Moçambique.	Faustino	Mucena.
Xavier	Angola.	Anastacio	Moçambique.
Marcos	Ditto.		

Rio de Janeiro, August 26, 1864.

No. 51.

Consul Morgan to Earl Russell.—(Received October 1.)

My Lord,

Rio, de Janeiro, September 6, 1864.

I HAVE the honour to communicate to your Lordship that the late Minister of Justice, Senhor Zacharias de Goes Vasconcellos, prior to his retiring from the Ministry, presented, for the Imperial signature, a Decree ordering the emancipation of all the liberated Africans existing in the Empire.

I have seen a copy of that Decree, which is not yet published, but its publication cannot long be retarded, and when it takes place I shall not fail to transmit a copy to your Lordship.

I have, &c.

(Signed) JOHN MORGAN, Jun.

No. 52.

Consul Morgan to Earl Russell.—(Received November 7.)

My Lord,

Rio de Janeiro, September 30, 1864.

IN my previous despatch I had the honour to communicate to your Lordship that I had seen the draft of a Decree the late Ministry had intended to propose for the effectual and final emancipation of all the liberated Africans existing in Brazil.

I have now the satisfaction to transmit herewith to your Lordship translation of the Imperial Decree No. 3.310, signed on the 24th instant, granting full emancipation to all liberated Africans. It is more liberal than the one I had previously seen, inasmuch as the emancipated Africans are now allowed to reside wherever they please, whilst in the proposed draft their residence was prohibited in the towns and cities of the seaboard.

I have, &c.

(Signed) JOHN MORGAN, Jun.

Inclosure in No. 52.

Imperial Decree, dated September 24, 1864, granting Emancipation to all the Liberated Africans existing in the Empire.

(Translation.)

I AM pleased, after consulting my Council of Ministers, to decree the following:—

Article 1. From the promulgation of the present Decree all the liberated Africans existing in the empire in the service of the State or of private individuals are emancipated, the period of fourteen years mentioned in the Decree No. 1,303 of the 28th of December, 1853, being considered as expired.

Art. 2. The letters of emancipation of these Africans will be issued with the greatest brevity and without any expense to them by the Judges of Orphans in the capital of the Empire and in the capitals of the Provinces, following the model already adopted, and for that purpose the Government in the capital and the Presidents in the Provinces will give the necessary orders.

Art. 3. These letters of emancipation will be transmitted to the respective Chiefs of Police to be delivered to the emancipated after being registered in a book kept for that purpose. With those letters, or with certificates extracted from the afore-mentioned book, the emancipated Africans may petition in Court or to the Government for the protection they are entitled to by the legislation in force.

Art. 4. The Africans in the service of private individuals will without delay be removed to the House of Correction in the capital, and in the Provinces to such public establishments as may be designated by the Presidents, and will be taken to the presence of the Chief of Police to receive their letters of emancipation.

Art. 5. The runaways shall be recalled by police edicts published in the newspapers, in order that they may come to receive their letters of emancipation. Should they not make their appearance their letters shall remain in deposit at the police courts in order that at all times the same may have their proper destination.

Art. 6. The emancipated Africans may establish their domicile in any part of the

Empire, being, however, obliged to make the declaration of the place chosen at the police, as well as some honest occupation they intend to follow, in order that they may avail themselves of the protection of Government. The same declaration must always be made whenever they change their domicile.

Art. 7. The minor issue of a liberated African woman shall accompany the father should he also be free; in the event of his not being so then the mother; such delivery being declared in the letter of emancipation, as well as its name, place of birth, age, and every other characteristic sign. To the issue of twenty-one years of age will be delivered a letter of emancipation, who may also reside in any part of the Empire subject to the terms of Article 6.

Art. 8. In want of a father and mother, or should these be incapable or absent, the minors will remain at the disposition of the respective Judge of Orphans until they are of age, when they will receive their letters of emancipation.

Art. 9. The public promoters of each Comarca, until the entire execution of this Decree, will protect the liberated Africans as their curators, wherever they may be placed, and will petition in favour of those Africans whatever may be convenient in their favour.

Art. 10. The Government in the capital and the Presidents in the Provinces will cause the names and nations of the emancipated to be published in the public press.

Art. 11. Is revoked hereby the Decree No. 1,303 of the 28th of December, 1853.

Francisco Jozé Furtado, of my Council, President of the Council of Ministers, Minister and Secretary of State of the Affairs of Justice, will so understand this and cause it to be executed.

Palace of Rio de Janeiro, 24th of September, 1864: 43rd of the Independence and of the Empire.

(With the rubric of His Majesty the Emperor.)

(Countersigned)

FRANCISCO JOSE FURTADO.

BRAZIL. (*Consular*)—*Rio Grande do Sul*.

No. 53.

Acting Consul Gollan to Earl Russell.—(Received March 22.)

My Lord,

Rio Grande do Sul, January 31, 1864.

IN transmitting to your Lordship a Return of the average prices of slaves in this Province for the half-year ended the 31st December, 1863, I have the pleasure of announcing the liberation of 13 slaves, which belonged to Mrs. Benjamin Aveline, widow of the late British Vice-Consul at Porto Alegre.

It was only upon Mr. Aveline's death I became aware that his wife held slaves, and as some time afterwards she requested my assistance in connection with the administration of the property of which she was left sole heiress, I took that opportunity of persuading Mrs. Aveline to free her slaves, and stating that unless she did so it would be impossible for me to interfere in her behalf. I am happy to say that my advice was eventually acted upon, and that they are now all enjoying their freedom.

Another occurrence in connection with slavery during the half-year took place at Porto Alegre on the 7th September (the anniversary of the independence of Brazil), upon which day 11 slave children were freed, the amount necessary having been raised by public subscription; and as it will serve to show the feeling with regard to slavery in the capital of the Province, I have the honour to inclose your Lordship a translation of a letter from the Porto Alegre correspondent of the "*Diario do Rio Grande*," announcing the above incident.

It is certainly gratifying to find that even the Brazilians themselves are becoming

alive to the evils of slave labour, and I trust that the movement begun in Porto Alegre may extend itself through the Province, where the comparatively temperate nature of the climate deprives the upholders of slavery of every excuse for its continuance.

I have, &c.

(Signed) ALEX. GOLLAN.

Inclosure 1 in No. 53.

RETURN showing the Average Prices of Slaves in the Province of Rio Grande do Sul, during the Six Months ended December 31, 1863, compared with the Prices in the preceding Half-year.

Classes of Slaves.	Average Prices in Six-Monthly Periods to				Difference in Price in last Six Months.			
	June 30, 1863.		December 31, 1863.		Increase.		Decrease.	
	Currency.	Sterling.	Currency.	Sterling.	Sterling.		Sterling.	
	Reis.	£ s. d.	Reis.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
<i>Agricultural.</i>								
Males . . .	1,400\$000	140 0 0	1,400\$000	151 13 4	11 13 4	—	—	—
Females . . .	1,250 000	125 0 0	1,250 000	135 8 4	10 8 4	—	—	—
<i>Domestic.</i>								
Males . . .	1,600 000	160 0 0	1,600 000	173 6 8	13 6 8	—	—	—
Females . . .	1,400 000	140 0 0	1,400 000	151 13 4	11 13 4	—	—	—
<i>Mining</i> . . .	None.							
<i>Newly Imported</i> . . .	None.							

The difference in value is caused by the alteration in exchange from 24*d.* to 26*d.* per milreis.

(Signed) ALEX. GOLLAN, Consul.

British Consulate, Rio Grande do Sul, December 31, 1863.

Inclosure 2 in No. 53.

Letter from Porto Alegre Correspondent of the "Diario do Rio Grande."

(Translation.)

(Extract.)

Porto Alegre, September 16, 1863.

THE celebration which I consider the most worthy, however, was the liberty conceded to 11 slave children, the number for which the public subscription was sufficient.

After the *Te Deum* on the 7th the Bishop delivered to these miserable creatures the proof of their return into the lap of liberty, accompanying the same with unctuous words of the true doctrine of Christ.

It is said that his Excellency intends to form a society "negrophilo," in which all Brazilians, without distinction of parties, who comprehend what similar acts may eventually accomplish, will take part.

Certainly when the Government crosses its arms before the worst inheritance which Brazil could have had, it is right that the people should take the initiative for the laborious realization of a complete regeneration in the country.

It will be, therefore, to be desired, that in your rich and important city, where exist so many elements of greatness, the Rio Grandenses will do what the Porto Alegrenses have done, and unite for the gradual abolishment of that leprosy called slavery.

If all the cities of the Empire (in other things so egotistical) follow the example which Porto Alegre has given, the realization of the problem which has occupied so many thoughtful heads will be neither so difficult nor so dangerous.

COMORO ISLANDS.

No. 54.

Consul Sunley to Earl Russell.—(Received March 15.)

My Lord,

Johanna, November 7, 1863.

I RECEIVED on the 23rd October Mr. Layard's despatch of the 5th May last, calling my attention to a despatch addressed to me by your Lordship on the 14th June last year, acquainting me that I must give up the employment of slaves on my estate, or be prepared to resign my commission as Her Majesty's Consul for the Comoro Islands, and directing me to communicate to your Lordship the decision I may have come to in this matter, and to explain the cause of my delay in replying to your Lordship's despatch.

Your Lordship's despatch of the 14th June was received by me on the 30th of December last; and my reply to it, dated the 22nd February last, was sent by Her Majesty's ship "Ariel" to Zanzibar the first opportunity that I had of writing to Europe after receiving your Lordship's despatch.

I have the honour to transmit a duplicate copy of my reply, dated the 22nd February last.*

I am fully sensible of the honour of holding the appointment of Her Majesty's Consul at the Comoro Islands, but if it is imperative on me either to resign my commission, or dismiss the labourers now employed on my estate, and thus put a ruinous termination to my undertakings here just as they are becoming remunerative, and after devoting many years and spending much money in prosecuting them, I beg reluctantly to place the resignation of my Commission in your Lordship's hands.

With your Lordship's permission I propose leaving for England in a few months, and on my arrival I will afford your Lordship any further information on this matter that you may desire.

I have, &c.

(Signed) WM. SUNLEY.

No. 55.

Consul Sunley to Earl Russell.—(Received June 11.)

My Lord,

Johanna, December 31, 1863.

I HAVE the honour to inform your Lordship that Commander Iago, of Her Majesty's sloop "Rapid," arrived here on the 5th instant with 200 slaves. Many of these poor creatures were ill, and very feeble, and would probably die if they remained much longer on board ship; Commander Iago therefore requested me, for the sake of humanity, to take charge of them until the return of the "Rapid" to Johanna, when he hoped to find them able to bear a voyage to the Cape.

I distributed them among the labourers on my estate, who took such care of them that, with the exception of 4 who died, they were all well when they embarked in the "Rapid" on the 28th instant.

I have, &c.

(Signed) WM. SUNLEY.

* See Class B, presented 1864, No. 64.

No. 56.

Consul Sunley to Earl Russell.—(Received June 11.)

My Lord,

Johanna, December 31, 1863.

I HAVE the honour to inform your Lordship that there has been very little slave-trading at the Comoro Islands this year, and that the transport of slaves from Mohilla and Comoro to the French Colonies of Mayotte and Nossi Bé appears to have ceased.

I have, &c.

(Signed)

WM. SUNLEY.

No. 57.

Consul Sunley to Earl Russell.—(Received June 11.)

My Lord,

Johanna, January 30, 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 31st July last, directing me to call upon the Sultan of Johanna to procure the release of the slaves who escaped from a dhow which was run on shore at Comoro when chased by a boat from Her Majesty's ship "Ariel," should they be within his jurisdiction; and I am to report to your Lordship the result of my proceedings in this matter.

The dhow was run on shore at Ytsanda, a town situated near to the south-west end of the Island of Comoro, and distant about three miles from the town of Maroni.

The Sultan of Johanna has no authority in Comoro.

It was not convenient for any of Her Majesty's vessels to take me to Comoro, and I have been unable to do more in the matter than communicate with the Chief of Maroni by messages. He asserts that the statement of the Chief of Ytsanda is untrue, and that the slaves did not enter his country.

The slaves are probably dispersed, and without going to Comoro I cannot ascertain whether the Chief of Ytsanda or the Chief of Maroni is answerable for their escape.

I have, &c.

(Signed)

WM. SUNLEY.

No. 58.

Consul Sunley to Earl Russell.—(Received June 11.)

My Lord,

Johanna, January 30, 1864.

ON the 24th instant I received your Lordship's despatch of the 31st July last, acquainting me that I may delay for a period of six months from the date of your Lordship's despatch my decision whether I will resign my commission or give up the employment of slave-labour upon my sugar estate in Johanna.

I beg most respectfully to thank your Lordship for acceding to my request to be permitted to defer for a few months the resignation of my commission, that I might try to employ none but free persons as labourers on my estate.

There are now sixty free persons employed as labourers on my estate, and their number will gradually increase; but it is not practicable to carry on any work in Johanna without employing slaves as well as freemen as labourers.

On the 7th November last, I informed your Lordship that I could not, without putting a ruinous termination to my undertakings here, dismiss the labourers employed on my estate, and begged reluctantly to place the resignation of my commission in your Lordship's hands.

I have, &c.

(Signed)

WM. SUNLEY.

DENMARK.

No. 59.

*Mr. Hammond to Consul Lamb.**Foreign Office, August 19, 1864.*

Sir, HER Majesty's Government have received information to the effect that the Spanish steamer "*Cicéron*" notoriously engaged in the Slave Trade, has been recently refitted at St. Thomas, where her character is stated to have been well known. It further appears that she sailed from St. Thomas in the early part of last month on another slave-trading expedition.

I am directed by Earl Russell to desire that you will furnish his Lordship with all the information you can procure respecting the proceedings of this vessel. From whence she came and whither she was bound. Whether there were any traces on board of her having recently carried a cargo of slaves, and whether her master and crew were changed at St. Thomas: also what repairs she underwent.

I am to state that according to the reports received by Her Majesty's Government from the African coast, the "*Cicéron*" did not succeed in shipping a cargo of slaves from thence, but was chased off the coast after being fired at several times by Her Majesty's cruisers.

Lord Russell further desires that you will explain to him how it happened that you did not report to him the arrival of this vessel at St. Thomas, seeing that it was well known in the island that she was a slaver.

I am, &c.
(Signed) E. HAMMOND.

No. 60.

Consul Lamb to Earl Russell.—(Received October 14.)

Extract.)

St. Thomas, September 26, 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch dated 19th ultimo, desiring me to furnish information regarding the Spanish steamer "*Cicéron*," which was here a short time ago, and had been reported to Her Majesty's Government as a slaver, and desiring to know how I had overlooked the fact, publicly known, of her being here, fitting out for the Slave Trade, without making any report to your Lordship; and in reply, I have the honour to state, that a Spanish steamer "*Cicéron*" owned and registered at Barcelona in Spain, arrived here on the 11th of June last, from Marseilles bound for Matamoros, short of coals, and machinery out of order; she had the required supply of fuel furnished, her machinery repaired at the factory of the Royal Mail Steam Packet Company, and sailed from this in ballast on the 13th of July for St. John's, Porto Rico, having neither landed nor taken in cargo here. From that port she sailed on 21st of July, with a cargo of two hundred barrels, four hundred bags of coffee, and eleven hundred and ninety-four bales of tobacco, regularly cleared at the Custom House there for Antwerp, where it will be seen by Lloyd's list, she arrived on the 20th of August. While the ship lay here, a remark was made to me, once by one of my sons, that a party here had said to him, that she was a slaver, but I could get no reason for the assertion, further than the difficulty in the informant's mind, of accounting otherwise for a Spanish steamer coming here in ballast. I however spoke to the Governor of this place, on the subject, who subsequently informed me, that the harbour master, had by his order inquired into the matter, and that there was no

suspicion of any kind against the ship, her report at the Custom-house being found quite correct, as in ballast with a few cases of wine. I had conversations with the consignees of the ship here, highly respectable parties, who informed me that the destination of the original voyage was changed, in consequence of unfavourable accounts received here, on her arrival, of the state of affairs at Matamoros, in reference to getting cotton, and the vessel was therefore offered in the market here, for charter, to take a cargo from this, or any of the neighbouring islands, to Europe, but sailing ships being plenty, no one having sugars or other produce cared about paying high rates for a steamer, and then, as the confidential agents of the owners of the vessel resided at Havana, it was decided that they should be communicated with, and the course of post with that place being one month, she had to be detained here for that time. Part of the crew, finding there was a chance of the ship going to Havana, and objecting to this, claimed their discharge on the grounds of not being bound to go there, and same was granted by the Spanish Consul, and matriculated men were sent for from Havana in their place, in conformity with Spanish Law. The captain was not changed. Beyond the one conversation already referred to, regarding this vessel, I am not aware of her being the subject of public attention, and, as I found the grounds of that conversation unfounded, and no suspicion attachable to her, and believing that no one in this place has better opportunity than I of being correctly informed of everything that happens relating to the shipping in the port, I did not consider it necessary to trouble your Lordship on the subject. Since receipt of your Lordship's despatch, in a conversation with the Consul of Spain and the Commander of a Spanish war steamer now in this port, I am informed and assured by the latter in particular, that the "*Cicéron*" which was here, was on a strictly legal voyage, and that she has been mistaken for another steamer of the same name owned and fitted out in Havana, which has made successful voyages to the coast of Africa, in the Slave Trade, and it is believed, is now along with another steamer named "*Elvira*" belonging to same owners in that quarter.

FRANCE.

No. 61.

Earl Russell to Earl Cowley.

My Lord,

Foreign Office, February 9, 1864.

I TRANSMIT to your Excellency herewith a copy of a letter from the Commander of Her Majesty's ship "Philomel,"* which has been communicated to me by the Lords Commissioners of the Admiralty, relative to the shipment of a cargo of slaves by a steamer from a place called Godomé on the West Coast of Africa, in the month of October last.

This vessel is stated to have passed a French man-of-war steamer, "L'Etoile," under English colours. Had she been met by a British cruiser, French colours would doubtless have been hoisted.

Thus, owing to the objections entertained by the French Government to such a right of search as would enable the cruisers of England and France to verify the papers of vessels carrying their respective colours, the most abominable Traffic in Slaves is carried on with frequent impunity under the flags of the two countries.

Your Excellency will perceive from the copies of a despatch and its inclosures from Her Majesty's Consul at Zanzibar, which I also inclose,† that it is not only on the West Coast of Africa that serious inconvenience and disagreeable questions are likely to arise, owing to the want of some understanding or agreement between the two Governments, by which the mutual right shall be established of ascertaining the true character of vessels on the African coasts suspected of being engaged in the Slave Trade.

Her Majesty's Government are unwilling to omit any efforts which may be likely to bring about such an understanding with the Government of the Emperor.

I have accordingly to instruct your Excellency to sound the French Government with a view of ascertaining from them whether some agreement could not be come to by which twelve cruisers of each country might be furnished with warrants empowering them to search, on the East and West Coasts of Africa, vessels suspected of being engaged in the Slave Trade, within a certain distance of the coast.

I am, &c.

(Signed) RUSSELL.

No. 62.

Earl Russell to Earl Cowley.

My Lord,

Foreign Office, March 16, 1864.

I TRANSMIT to you the accompanying copy of a despatch from Mr. Crawford, Her Majesty's Consul-General at the Havana,‡ reporting the capture by the Spanish steamer of war "Neptuno," on the 8th ultimo, off Remedios, of a brigantine with 682 slaves on board, having no papers, but showing French colours, and the name "Pondicherry of Marseilles" painted on her stern.

I have to instruct your Excellency to communicate this intelligence to the French Government.

I am, &c.

(Signed) RUSSELL.

* Class A, Inclosure in No. 101.

† No. 71.

‡ No. 244.

No. 63.

Earl Russell to Earl Cowley.

My Lord,

Foreign Office, March 24, 1864.

WITH reference to my despatch of the 30th of November last, relative to the impetus likely to be given to the Slave Trade on the East Coast of Africa by the facilities afforded to Arab vessels for procuring the use of the French flag as a protection against British cruizers, I now inclose, for your Excellency's information, a copy of a further despatch from Lieutenant-Colonel Playfair,* giving the particulars of a well-authenticated instance in which an Arab vessel belonging to Saed bin Thani, of Soor, furnished with a French register, and under French colours, shipped a cargo of nearly 300 slaves from the port of Keelwa in the month of September last.

Your Excellency will bring this case to the notice of the French Government, and will express the earnest hope of Her Majesty's Government that steps will be taken to prevent this abuse of the French flag for Slave Trade purposes.

I am, &c.

(Signed) RUSSELL.

No. 64.

Earl Russell to Earl Cowley.

My Lord,

Foreign Office, March 30, 1864.

I HAVE received a telegram this morning from Her Majesty's Consul at Marseilles, informing me that a steamer called the "*Ciceron*" is now at that port in ballast, and that as soon as the weather permits, she will take in coals, and proceed to a Spanish port.

This vessel in the month of October last shipped a cargo of upwards of 1,100 slaves from the African coast, in the neighbourhood of Whydah, which she subsequently landed in Cuba. From thence she proceeded to the Isla de Mugeris, on the coast of Yucatan, where she was cleansed, and took in a supply of coals that had been sent there for her. She then made her way to Matamoros, where she embarked a cargo of cotton, and sailed for Barcelona. She arrived at that port on the 8th instant, and having discharged her cargo, proceeded to Marseilles, where she now remains.

According to information received by Her Majesty's Government, the "*Ciceron*" is one of several steamers that have been purchased by Don Julian de Zulueta and other notorious slave-dealers at Havana, to be regularly employed in the Cuban Slave Trade, and she is stated to be now preparing for another slave-trading expedition.

When on the African coast this vessel showed English colours to the French man-of-war steamer "*Etoile*;" and when shipping her slaves, and subsequently on the Cuban coast, she is stated to have hoisted French colours.

I have to instruct your Excellency to make known the above facts to the French Government with as little delay as possible, in order that such steps as French laws permit may be taken by the authorities to frustrate the designs of the owners of this vessel, and, if possible, to bring them to punishment.

You will also request that the French naval officers on the African coast may be warned of the character of the "*Ciceron*," and that they may be directed to use their best endeavours to prevent her carrying her slave-trading expedition into effect.

I am, &c.

(Signed) RUSSELL.

No. 65.

Earl Cowley to Earl Russell.—(Received April 2.)

My Lord,

Paris, April 1, 1864.

I LOST no time after the receipt of your Lordship's despatch of the 30th ultimo, in calling M. Drouyn de Lhuys' attention to the presence of the "*Ciceron*" at Marseilles, and to the character of that ship.

His Excellency told me to-day that he had immediately placed himself in communi-

cation with the Departments of Marine and Justice, with a view of taking such measures as might be possible for the detention of the "*Cicéron*." He feared, however, that the laws of France would not permit her detention without greater proof of her character than had been offered.

I have, &c.
(Signed) COWLEY.

No. 66.

Earl Cowley to Earl Russell.—(Received April 5.)

My Lord,

Paris, April 4, 1864.

I INFORMED your Lordship in my despatch of the 1st instant that M. Drouyn de Lhuys had communicated with the Departments of Marine and Justice with reference to the presence of the Spanish steamer "*Cicéron*," in the port of Marseilles.

The day before yesterday I received a note from his Excellency, copy inclosed, stating that the Spanish Consul in that town had been informed of the suspicions attaching to the "*Cicéron*," and that an assurance had been given by the latter that this vessel should not be allowed to proceed to sea without proof that she was not to be employed in the Slave Trade.

Yesterday evening M. Drouyn de Lhuys sent me a copy of the instructions transmitted by the Minister of Marine to the naval authorities at Marseilles. Your Lordship will find them inclosed.

I have, &c.
(Signed) COWLEY.

Inclosure 1 in No. 66.

M. Drouyn de Lhuys to Earl Cowley.

M. le Comte,

Paris, le 2 Avril, 1864.

J'AI reçu la lettre que votre Excellence m'a fait l'honneur de m'écrire le 31 du mois dernier, au sujet des opérations de traite auxquelles se serait livré antérieurement et que se proposerait aujourd'hui de renouveler le navire Espagnol "*Cicéron*," entré récemment dans le port de Marseille. Je me suis empressé de porter les renseignements, que vous m'adressiez à la connaissance de M. le Ministre de la Marine pour qu'il en fît tel usage que de droit. Il résulte d'informations qui me sont parvenues en même temps, que notre Administration maritime de Marseille, déjà instruite par le Consulat Britannique des soupçons qui pesaient sur le "*Cicéron*," en avait immédiatement prévenu le Consul d'Espagne.

Elle avait reçu de ce dernier l'assurance que le navire, dont il avait les papiers entre les mains, partirait seulement après constatation qu'il ne serait pas employé à la traite des noirs.

Agréé, &c.
(Signé) DROUYN DE LHUYS.

Inclosure 2 in No. 66.

The Minister of Marine to the Chief of Marine at Marseilles.

Paris, le 2 Avril, 1864, 11.40 P.M.

VOUS avez bien fait de vous entendre avec le Consul d'Espagne pour la vérification des faits relativement au "*Cicéron*," mais comme nous ne saurions permettre qu'on vînt dans nos ports préparer des opérations de traite, vous prendrez toutes les mesures nécessaires pour vous assurer par vous même de la situation réelle de ce bâtiment.

Vous me ferez connaître son armement et me donnerez le signalement du navire de manière à ce que nos croiseurs sur la côte puissent le reconnaître.

No. 67.

Earl Russell to Earl Cowley.

My Lord,

Foreign Office, April 5, 1864.

WITH reference to your Excellency's despatch of the 4th instant, I have to instruct your Excellency to acquaint the French Government that information has been received in this Department from Her Majesty's Consul at Bilbao, to the effect that the master and crew of the slave-steamer "*Cicéron*" have arrived in the neighbourhood of that city by land from Marseilles.

It is probable, therefore, that the "*Cicéron*" is intended to take her final departure for the African coast from Bilbao, or from one of the ports on the north coast of Spain, in which case she will not take her Slave Trade equipments on board at Marseilles.

I am, &c.

(Signed) RUSSELL.

No. 68.

Earl Russell to Earl Cowley.

My Lord,

Foreign Office, April 16, 1864.

WITH reference to my despatch of the 30th ultimo, respecting the Spanish slave-steamer "*Cicéron*," which was fitting out at Marseilles for another slave-trading expedition to the coast of Africa, I now inclose, for your Excellency's information, a copy of a despatch from Her Majesty's Consul at that port, reporting that this vessel has sailed for her destination.

There can be no doubt that if the "*Cicéron*" had been thoroughly searched, ample evidence would have been afforded of the guilty nature of the voyage on which she was about to be engaged; and to say the least, it is extremely unsatisfactory that vessels of her character should be allowed to sail from French ports unchallenged, and in every respect equipped for the Slave Trade.

Your Excellency will ask M. Drouyn de Lhuys whether it is possible to provide a remedy for this state of things; and you will at the same time remind the French Minister that on a former occasion, in 1862, Her Majesty's Government had reason to complain of the "*Noc Daqui*," a steamer belonging to the same parties who own the "*Cicéron*," having been allowed to equip and proceed on a slave-trading voyage from the port of Bordeaux.

I am, &c.

(Signed) RUSSELL.

No. 69.

Earl Russell to Earl Cowley.

My Lord,

Foreign Office, April 20, 1864.

WITH reference to my despatch of the 16th instant, respecting the Spanish slave-steamer "*Cicéron*," I inclose, for your Excellency's information, a translation of the deposition of Antonio Farrugia,* a stoker who served on board that vessel on her last slave-trading voyage.

I have to instruct your Excellency to make known the substance of this deposition to the French Government, as showing that it was not without good and sufficient grounds that the "*Cicéron*" was denounced to the French authorities.

I am, &c.

(Signed) RUSSELL.

* Inclosure in No. 84.

No. 70.

Earl Russell to Earl Cowley.

My Lord,

Foreign Office, June 25, 1864.

I HAVE on former occasions instructed your Excellency to point out to the French Government the encouragement afforded to "Arab," and other native vessels, to engage in the Slave Trade on the East Coast of Africa, by the system recently adopted by the authorities at Nossi Bé of furnishing native craft with French papers, whereby they are enabled to carry on their nefarious traffic without interruption by British cruisers.

I now inclose a copy of a despatch from Colonel Playfair, Her Majesty's Consul at Zanzibar,* reporting the particulars of an attempt made by the crew of a vessel which had been furnished with a French flag and papers to ship a cargo of slaves from the territories of the Sultan of Zanzibar. It is true that although this vessel had received a French register, her master had failed to renew it on the expiration of the term for which it had been granted, and as, therefore, the vessel at the time of her detention could not be considered as sailing under French colours, the authorities of the Sultan were enabled to frustrate this attempt at slave-trading. Your Excellency will, however, not fail to perceive from what passed on this subject between the Sultan and M. Jablonski, the Gérant of the French Consulate, that the latter maintains that the Sultan had no power to search French ships or boats under the French flag, and that he moreover threatened, if the detained vessel turned out to be French, to haul down his flag.

The effect of the position thus assumed by the French authorities on the East Coast of Africa will enable native vessels under the French flag to carry on the Slave Trade with impunity, for while the authorities of the Sultan will be unable to interfere with French boats shipping slaves from the land, the vessels carrying the slaves will, by virtue of their French papers, be free from molestation by British cruisers at sea.

Her Majesty's Government feel convinced that nothing is further from the intention of the Imperial Government than to allow the French flag to cover the Slave Trade, under whatever pretence it may be assumed; and I have therefore to instruct your Excellency to bring the subject of Colonel Playfair's Report to the notice of the French Government, and to endeavour to obtain some satisfactory assurance that a check will be placed upon the use of the French flag on the East Coast of Africa for Slave Trade purposes.

I am, &c.

(Signed) RUSSELL.

No. 71.

Earl Russell to Earl Cowley.

My Lord,

Foreign Office, July 28, 1864.

WITH reference to former correspondence respecting the Spanish steamer "*Cicéron*," which sailed from Marseilles on the 11th of April last, on a slave-trading expedition, I transmit to your Excellency herewith a copy of a despatch from Her Majesty's Consul at Bilbao,† containing information respecting the movements of this vessel, the particulars of which your Excellency will communicate to the French Government.

I am, &c.

(Signed) RUSSELL.

No. 72.

Earl Russell to Earl Cowley.

(Extract.)

Foreign Office, August 3, 1864.

I TAKE this opportunity of desiring your Excellency to urge the Government of the Emperor to take efficient measures to prevent the carrying on of the Slave Trade under the French flag. The Treaty between Great Britain and the United States having put an end to the use of the flag of the United States by slavers, those concerned in that infamous Traffic will naturally have recourse to the French flag, and Her Majesty's Government are persuaded that the Emperor would view with disgust and abhorrence such a prostitution of the noble colours of France.

* No. 102.

† No. 235.

No. 73.

Earl Cowley to Earl Russell.—(Received August 18.)

My Lord,

Paris, August 17, 1864.

IN compliance with the instructions contained in your Lordship's despatch of the 28th of July, I conveyed to M. Drouyn de Lhuys the intelligence contained in the despatch from Her Majesty's Consul at Bilbao respecting the movements of the Spanish steamer "*Cicéron*." I have now the honour to inclose copy of a note which I have received from his Excellency, stating that he has conveyed this intelligence to the Minister of Marine, who has communicated on the subject with the Admiral commanding the French squadron on the West coast of Africa.

I have, &c.

(In Earl Cowley's absence)
(Signed) GEO. ELLIS.

Inclosure in No. 73.

M. Drouyn de Lhuys to Earl Cowley.

M. l'Ambassadeur,

Paris, le 16 Août, 1864.

J'AI reçu la lettre que votre Excellence m'a fait l'honneur de m'écrire, le 1 de ce mois, au sujet des opérations de Traite que le navire Espagnol "*Cicéron*" a tenté d'effectuer à la côte d'Afrique et que la surveillance des croiseurs de la marine Britannique a réussi à empêcher. J'avais eu soins de transmettre ces informations à M. le Ministre de la Marine, qui a cru devoir, bien que le "*Cicéron*" se trouve aujourd'hui à St. Thomas, délaissé par son capitaine et son équipage, signaler de nouveau ce bâtiment à M. le Commandant-en-chef de la division navale Française des côtes occidentales de l'Afrique.

Agréez, &c.

(Signé) DROUYN DE LHUYS.

No. 74.

Earl Russell to Earl Cowley.

My Lord,

Foreign Office, August 20, 1864.

WITH reference to former correspondence respecting the Spanish steamer "*Cicéron*," which sailed from the port of Marseilles on the 11th of April last on a slave-trading expedition, I inclose, for your Excellency's information, and for communication to the French Government, the accompanying copy of a despatch from the Acting British Consul at Puerto Rico,* containing information respecting the movements of this vessel.

With regard, however, to the statement contained in Mr. Cowper's despatch to the effect that the "*Cicéron*" made a successful voyage to Cuba with slaves, I have to observe that all the accounts received by Her Majesty's Government from other sources, go to show that this vessel was driven off the African coast by British cruisers without being able to procure a cargo of slaves.

I am, &c.

(Signed) RUSSELL.

No. 74*.

Earl Russell to Earl Cowley, December 7, 1864.

[See No. 21.]

No. 75.

Earl Cowley to Earl Russell.—(Received December 21.)

My Lord,

Paris, December 20, 1864.

I HAVE the honour to report that on the 10th instant I addressed a note to the French Government in the terms of your Lordship's despatch of the 7th instant, respecting the desirability of denouncing Slave Trade as piracy.

I have, &c.

(Signed) COWLEY.

No. 76.

Earl Cowley to Earl Russell.—(Received December 24.)

My Lord,

Paris, December 23, 1864.

ON receipt of your Lordship's despatch of August 20th, I addressed a note to M. Drouyn de Lhuys communicating to his Excellency the further information respecting the slaver "*Cicéron*," contained in the despatch of Her Majesty's Consul at Puerto Rico of July 26. I have now the honour to inclose the copy of a note which I have received from M. Drouyn de Lhuys, forwarding an extract of a despatch from the Commander-in-chief of the French Naval Division on the West Coast of Africa, who states that he has only been able to obtain vague reports of the movements of the "*Cicéron*," but that she appeared to have been prevented accomplishing any Slave Trade operation through the vigilance exercised along the coast.

I have, &c.

(Signed) COWLEY.

Inclosure 1 in No. 76.

M. Drouyn de Lhuys to Earl Cowley.

M. le Comte,

Paris, le 20 Décembre, 1864.

J'AI reçu la lettre que votre Excellence m'a fait l'honneur de m'adresser le 22 Août dernier pour me communiquer les renseignements parvenus au Gouvernement de Sa Majesté Britannique relativement au navire Espagnol "*Cicéron*," soupçonné de se livrer à des opérations de Traite sur la Côte Occidentale d'Afrique. M. le Ministre de la Marine, à qui j'avais fait parvenir ces informations, et qui s'était empressé d'en donner connaissance au Commandant-en-chef de notre division navale dans ces parages, vient de m'envoyer l'extrait que votre Excellence trouvera ci-joint, de la correspondance de cet officier-général. Il résulte des rapports de M. l'Amiral Laffon de Ladébat que, de même que les croiseurs Anglais, il n'avait pu recueillir que des bruits vagues sur les opérations présumées du "*Cicéron*," qui paraissait, du reste, avoir été complètement entravées par la surveillance active exercée sur les parties de la côte où se trouvent encore les principaux marchés d'esclaves.

Agréé, &c.

(Signé) DROUYN DE LHUYS.

Inclosure 2 in No. 76.

Rear-Admiral de Ladébat to the Minister of Marine.

(Extrait.)

Gabon, le 1 Novembre, 1864.

VOTRE Excellence m'a fait l'honneur de m'adresser trois dépêches à la date du 20 Avril, 11 Août, et 2 Septembre, 1864, au sujet du vapeur Espagnol le "*Cicéron*," soupçonné de se livrer à la Traite des Noirs.

Les renseignements que j'ai pu recueillir sur ce bâtiment sont extrêmement vagues. Dans le courant du mois de Mai un grand vapeur de nationalité inconnue s'est présenté à plusieurs reprises sur divers points de la côte de Benin. Il a toujours été obligé de prendre chasse devant les croiseurs Anglais. J'ai moi-même aperçu ce bâtiment le 12 Mai, ainsi que j'ai eu l'honneur de rendre compte à votre Excellence; mais il a pris la fuite dès qu'il a distingué la haute mâture de "*l'Armarique*." Ce navire n'a pas reparu sur la côte du Benin depuis la fin de Mai, et il est certain qu'il n'a pu faire aucune opération de Traite.

Au mois de Juillet j'ai fait une croisière au sud de la ligne. Les croiseurs Anglais, avec lesquels je me suis mis en communication, n'avaient aperçu aucun navire semblable à celui que nous avions vu dans le Golfe de Benin. Les négriers échappent sans doute assez souvent à la surveillance des croiseurs; mais au bout de quelque temps on finit par connaître le point où ils ont enlevé des esclaves, et j'ai à peu près la certitude que du mois de Mai à la fin de Juillet aucun navire à vapeur n'a pu se livrer à ce Trafic, soit dans le Golfe de Benin, soit aux environs du Congo, qui sont actuellement les seuls marchés considérables d'esclaves.

Je pense que le bâtiment aperçu dans le Golfe de Benin au mois de Mai était le "*Cicéron*." Il est possible qu'il ait été chercher fortune dans le sud, et que, n'ayant pas

réussir, il soit allé à St. Thomas, où il a cherché à se vendre ; mais je doute fort qu'il ait porté à l'Île de Cuba un chargement d'esclaves. Tout bâtiment suspect qui mouille à St. Thomas est considéré à bon droit comme un négrier ou comme un navire qui va chercher à forcer le blocus Américain, et l'on fait alors courir mille bruits sans fondements sur les exploits et les aventures de ce bâtiment.

FRANCE. (Consular)—Marseilles.

No. 77.

*Mr. Layard to Consul Mark.**

Sir,

Foreign Office, March 22, 1864.

A STEAM-VESSEL called the "*Cicéron*," sailing under Spanish colours (formerly the British steamer "*Elvira*"), has recently been engaged in carrying slaves to Cuba, and as she is reported to belong to notorious slave-dealers in that island, there is every probability that she is destined to be further employed in the Slave Traffic.

The "*Cicéron*," after landing her slaves in Cuba, is supposed to have gone to Matamoros for a cargo of cotton, with which she is expected to arrive in an European port ; and I am directed by Earl Russell to desire that in the event of this vessel's arriving at Marseilles, you will make known to the authorities her antecedents, and you will also report her movements to his Lordship.

I am, &c.

(Signed) A. H. LAYARD.

No. 78.

Earl Russell to Consul Mark.

Sir,

Foreign Office, March 30, 1864.

I HAVE received your telegram of this morning reporting that the slave-steamer "*Cicéron*" is at Marseilles in ballast, and that after coaling she will, when weather permits, proceed to a Spanish port

I have instructed Her Majesty's Ambassador at Paris to acquaint the French Government with the previous history of this vessel, and I inclose a copy of my communication on this subject to Lord Cowley.†

I have to desire that you will ascertain if possible whether there are any British subjects on board the "*Cicéron*," and if so you will warn them of the very serious consequences that will ensue to them if they should be taken on board a vessel engaged in Slave Traffic.

You will also report to me the movements of this vessel, and you will furnish me with any information you may be able to procure which may be of use to Her Majesty's Government in frustrating the designs of the owners of this vessel.

I am, &c.

(Signed) RUSSELL.

* And to all Her Majesty's Consuls in France and Spain.

† No. 64.

No. 79.

Consul Mark to Earl Russell.—(*Received April 1.*)

My Lord,

Marseilles, March 30, 1864.

WITH reference to the Foreign Office despatch of the 22nd instant, I have the honour to inform your Lordship that the Spanish steam-vessel "*Cicéron*" is now lying in this port. She arrived lately from Barcelona in ballast, having landed a cargo of cotton from Matamoros, and she appears to have come to Marseilles to be docked, there being no facilities at Barcelona for cleaning iron ships.

I saw the "*Cicéron*" yesterday on her leaving the dry dock, and she is now in good seagoing condition, and very light in the water. I understand that she will proceed immediately to a Spanish port, only requiring to take on board some coals here.

I do not think that there is any intention to equip her for a Slave Trade voyage here; that will probably be done in a Spanish port. It is now blowing a gale here, which impedes her coaling.

I have informed the Collector of Customs of the antecedents of this vessel, and I will not fail to communicate to your Lordship any information I may be able to collect about her movements.

I have, &c.

(Signed) EDWD. W. MARK.

No. 80.

Consul Mark to Earl Russell.—(*Received April 5.*)

(Extract.)

Marseilles, April 2, 1864.

I DULY received your Lordship's despatch of the 30th ultimo.

I have now the honour to state that I have fully communicated to the civil and marine authorities here all the information furnished me by your Lordship, as well as the details I have been able to collect here about the "*Cicéron*." I have also requested these functionaries to detain the vessel as a notorious slave-trader.

The "*Cicéron*" appears to be quite *en règle*, as far as the French authorities are concerned, and the Spanish Consulate reports the same from its point of view. The captain and crew have been changed, and her papers are all right. Beyond the fact, therefore, of her being a very fine, rakish-looking craft, the authorities say there is nothing that would justify their boarding and searching her.

I saw the Commissaire de la Marine twice yesterday about her, and urged that some steps should be taken to impede her slipping out of the port unperceived, with or without papers. He went to the Spanish Consul to see about her papers, &c., and to concert measures. The Consul produced all the papers, and showed that the ship was *en règle*; but upon hearing all the evidence which I had given to the Commissaire, he stated that, in accordance with the instructions of the Spanish Government, lately conveyed to all its Agents in very precise circulars, and also in harmony with all his own private feelings, he would give every facility for clearing up this matter, but that he must inform his Government thereof immediately. It was then agreed between the Commissary of Marine and the Consul that they should at once refer the matter to their respective Governments, and that the latter would, in the meantime, retain the ship's papers at the Consulate.

I saw the Spanish Consul myself last evening, and we talked over the case freely together. He appeared to be much surprised at the charges brought against the ship. He showed me all her papers, and I saw the muster-roll also.

The "*Cicéron*" arrived here with an entire Spanish crew, with the exception of two Portuguese engineers, who have left her. A Maltese stoker, named Antonio Farrugia, had left her at Barcelona. The captain who brought her here, and carried out the late slave-voyage, has been changed. The ship, therefore, the Consul says, presents legally no other character than that of an ordinary Spanish steam-ship that has come here in ballast from Barcelona to be cleaned. He had seen the consignee about the vessel, who expressed the greatest surprise at the Consul's statements, and who assured him that the Messrs. Sama and Co., of Barcelona, had sent the vessel consigned to him to be cleaned, and that she was to proceed again to Matamoros to load another cargo of cotton that was awaiting her there. He said that he was merely going to put on board of her 500 cases of wine and 100 bags of rice, and after filling her up with coal she would leave this for Matamoros, merely calling at a Spanish port on the way.

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Don Sebastian Vidal, the consignee here, is a wealthy Spanish merchant, and was formerly a partner in the well-known house of Vidal Frères, a name which is already familiar to the Foreign Office.

The Spanish Consul stated that he would have the matter well looked into, and ascertain if she had any traces of slave-trading on board. This cannot now be easily done, for she has 500 or 600 tons of coal on board, covering everything.

I have myself examined the vessel outwardly. She is a beautifully-built Clyde steamer, and from her appearance I should think that there is scarcely any vessel in Her Majesty's navy that could catch her at sea.

I hear that the two Portuguese engineers who left her here were loaded with money.

The captain who left her boasts of having performed successfully twenty-one voyages.

The afore-mentioned Maltese, Antonio Ferrugia, was formerly a stoker on board of the mail steam-ship "Valetta," and he requested the engineer of that vessel, a few days since, to take charge of 30 Spanish gold doubloons which had fallen to his share for the last voyage. This man went down to Malta in the "Valetta," and I shall write to Sir Victor Houlton, at Malta, by next mail, to have the man looked up.

The vessel is now here full of coal, and only detained for want of engineers: 50*l.* per month are being offered all round the ships in port to the engineers who will ship in her.

I am now only afraid that she will slip out of the port unperceived, without papers, which it would be no difficult matter to replace in some Spanish port.

I have duly informed Earl Cowley of all the steps I have taken in the matter.

No. 81.

Consul Mark to Earl Russell.—(Received April 10.)

My Lord,

Marseilles, April 7, 1864.

I HAVE the honour to inclose herewith copy of a letter which I sent by last mail to Sir Victor Houlton at Malta, requesting him to have a Maltese named Antonio Farrugia called up and interrogated, and also to prevent his departure from Malta until the pleasure of Her Majesty's Government might be ascertained.

Farrugia was a stoker on board of the "*Cicéron*," during her late slave-trading voyage, and is the only person whose direct testimony is obtainable, the captain and the rest of the crew having been changed here and at Barcelona. I believe that Farrugia was the only British subject on board; she had Portuguese engineers, who left her here, and it is reported that they intend rejoining the "*Cicéron*" at Cadiz, or some other Spanish outport.

I have already informed Earl Cowley that the Commissaire de la Marine and the Commissaire de l'Inscription Maritime, and the Commandant du Port, had been to inspect the "*Cicéron*." These gentlemen, of course, saw nothing on board to attract their attention, the vessel having already taken in 600 or 700 tons of coal, and being full thereof up to the hatches. They noticed, however, that she had very capacious water-tanks, a complete set of signal flags, and a large English ensign. These officers drew up a *procès-verbal* of their proceedings, which will be sent to Paris.

Having ascertained that two French engineers had been engaged, either for the voyage round to Cadiz or for that to the coast of Africa, I sent their names to the Commissaire de l'Inscription Maritime, who has just been with me, and he has promised to do everything in his power to prevent their departure in the vessel. A number of Spanish seamen came from Barcelona the day before yesterday and joined the ship. I have just informed the Commissaire of the fact, as also that the "*Cicéron*" had taken on board an unusual quantity of rice and other provisions, which are not generally embarked in this port on board of vessels bound to the rice-producing regions of Africa and America.

I likewise called his special attention to the fact of her having shipped the extraordinary quantity of 800 tons of coals. I expressed my belief that an examination of the cases said to contain wine shipped here would lead to the discovery of eatables rather than liquids. I informed the Commissaire that the "*Cicéron*" had had a new moveable top made for her funnel and also for her steam-pipe, for the purpose of disguising her appearance when at sea.

The Commissaire said that he could not deny that all these were very forcible proofs that the vessel was bound on some doubtful voyage, but that he must still say that legal evidence of her character had not yet been produced.

I hear Cadiz mentioned as her first destination, where she will probably take on board

her final stock of stores and receive her orders. I am also told that one of the Messrs. Zulueta is now in Marseilles.

I have, &c.
(Signed) EDWD. W. MARK.

Inclosure in No. 81.

Consul Mark to Sir V. Houlton.

Sir,

Marseilles, April 5, 1864.

A MAN named Antonio Farrugia went down to Malta by the "Valetta," which left this on the 20th ultimo. This man was a stoker on board of the Spanish steam-ship "Ciceron," and has just been paid off, and has returned home in easy circumstances.

The steam-ship "Ciceron," which is now lying here, is a notorious slaver, and has just carried out a most successful voyage from the West Coast of Africa to the West Indies with slaves.

Antonio Farrugia is a Maltese, and having formerly been a fireman on board of the mail-steamer "Valetta," he went to see his former friends and acquaintances on board of that vessel. He requested the engineer on board to take charge of a sum of 30 Spanish gold doubloons for him, which the engineer declined to do. Farrugia stated that the money formed his share of the proceeds of that voyage.

My present object in writing to you is to request you, if possible, to be pleased to have Antonio Farrugia called up and interrogated about the "Ciceron's" movements since she left Europe for the coast of Africa in August or September last, and also as to her doings on that coast, as well as in the West Indies and elsewhere. The "Ciceron" took on board 1,100 slaves near Whydah, and landed them on the coast of Cuba. She then proceeded to the Isla de Mugeris on the coast of Yucatan to clean the vessel, and afterwards ran down to Matamoros, where she shipped a cargo of cotton for Barcelona, and after landing it, came on here to be docked.

As a question has been raised here about this vessel, it is most desirable for the purposes of Her Majesty's Government to have Farrugia's depositions taken, and as much information as possible, both of a general and special nature, elicited from him. He can undoubtedly tell what parties are interested in this vessel's movements, such as owners, consignees, &c. He will, doubtless, know something of the projected voyage after the "Ciceron" leaves Marseilles, and where she will receive on board her stores and slave-tackle before proceeding to the coast of Africa again. In fact, it is desirable to obtain every possible species of information from him regarding this vessel.

I would beg you, if convenient, to let me be informed of any facts of interest that may be elicited from Farrugia.

I need not say that Her Majesty's Government may even be desirous of having Farrugia detained, not only as a participator in a slave-trading voyage, but in order to make sure of him as a witness in case of necessity. It will therefore, probably, appear to you desirable that Farrugia's departure from Malta should be impeded until the authorities at home have been consulted thereon.

I have already informed Earl Russell that I should write to you about him.

I have, &c.
(Signed) EDWD. W. MARK.

No. 82.

Consul Mark to Earl Russell.—(Received April 13.)

(Extract.)

Marseilles, April 11, 1864.

THE "Ciceron" having completed all her arrangements left this port on Saturday at noon. She actually took on board 667 tons of coals here, filling up every part of the vessel with fuel. She likewise shipped a very large quantity of provisions, such as rice, beans, and other articles of food, sufficient in fact for a voyage of several months with a great many human beings on board.

The Commissary of Marine refused to grant a permit to the two French engineers I mentioned in my last despatch as having been engaged. A telegram was consequently sent to Barcelona, whence a Spanish engineer came over immediately. I am assured, however, that two English engineers, who had previously been in her, as well as her former captain, have re-embarked at the last moment.

There is every reason to believe that the "*Cicéron*" will make for Huelva direct, and that she will there land the Spanish engineer, and be rejoined by the two Portuguese engineers who left her a short time since. It is given out that she is going out to Matamoros again for another cargo of cotton which is awaiting her there.

I mentioned to your Lordship my belief that the authorities here would do nothing to detain the "*Cicéron*" without instructions from Paris. As she has been permitted to depart it is to be presumed that they did not consider that there were sufficient legal proofs of her slave-trading character. I must not, however, fail to inform your Lordship that this vessel has been lying in the port for some time, in the most public manner, her character being perfectly well known to everybody round the harbour, to say nothing of the special manner in which I had called the attention of the authorities to the fact.

No. 83.

Consul Mark to Earl Russell.—(Received April 18.)

My Lord,

Marseilles, April 15, 1864.

I HAVE this morning received from Malta the deposition of Antonio Farrugia, the Maltese fireman who was lately on board of the Spanish slave-steamer "*Cicéron*." This document was forwarded to me by Sir Victor Houlton, and I hasten to send your Lordship a copy and a translation thereof.

I have, &c.

(Signed) EDWD. W. MARK.

Inclosure in No. 83.

Deposition of Antonio Farrugia.

(Translation.)

ANTONIO FARRUGIA, of Cospicua, aged 49 years, deposeth:—

I served for some time in the Peninsular and Oriental Company's ship "*Valetta*," as fireman. Nearly three years since I left that Company, and I quitted this Island for London in the English steamer "*Waterlily*," and I went on in the same steamer to Liverpool and Belfast, where I left her. Thence I went as passenger to Greenock in another steamer, and remained there three months without employment. I went thence by rail to Glasgow, and embarked in a Spanish steamer as fireman at 6*l.* a month, receiving 3*l.* advance, and left for Buenos Ayres by way of the Bay of Biscay. The steamer was then sold to a French company of Buenos Ayres, and I went as passenger to Cadiz in a French steamer, and paid 7*l.* for my passage. In Cadiz I embarked in one of the Spanish transatlantic mail-steamers belonging to Lopez and Co., and went backwards and forwards to Havana for nearly eighteen months; and finally disembarked again at Cadiz. Here, nearly fifteen days after I shipped in a Spanish steamer (about the month of August or September last, for I remember having eaten fresh figs at Cadiz), whose name I do not know; but I know the captain is a native of Biscay, and we left for the Coast of Africa. There were two other Maltese on board, one called Angelo, surnamed Ta Lombrelli, an inhabitant of Manderaggio in Valetta, and the other called Salvatore, surnamed Tal Mimli, of Cospicua. On arriving on the Coast of Africa there was a heavy sea, and we anchored nearly half a mile off the shore or beach. Our ships' boats then went to the land, and returned on board accompanied by others all full of negroes. In the space of eight hours they took several trips, and brought on board altogether 1,500 negroes, men, women, and children, entirely naked. They were put on board, some in the hold, and a part on deck towards the stern. As soon as they were all on board we started; but whilst weighing anchor we perceived a steam man-of-war; we slipped the cable and left the anchor in the sea. Not one of the negroes was left behind. After a voyage of twenty-six days, we arrived on the Coast of Havana about 4 p.m. We anchored, and about 8 o'clock we had already landed all the cargo of slaves, who were carried on shore in the boats of our steamer. At 4 the following morning we started and went to Mohair (Isla de Mugeris, Coast of Yucatan). Here we were short of coal; but a Spanish barque came specially from Havana, and put 400 tons of coals on board of us. After about 12 days we set out from Mohair for Havana to obtain clearances for the ship; but not having succeeded therein, we went to Baltimore (Matamoros?), where by force of money we obtained the necessary documents. At Baltimore (Matamoros?) we took in 500 bales of cotton, which we discharged in Barcelona. I landed there and received my share of the profits, amounting

to 36 doubloons, in addition to my pay. The voyage altogether, from the day I shipped at Cadiz, to that of my landing at Barcelona, lasted six months less three days. I remained two days at Barcelona, whence I went to Marseilles in a Spanish steamer. Eight days after I left Marseilles for Malta in the steam-ship "Valetta."

From the conversation on board of the said steamer ("Ciceron"), I can say that it is the intention of the captain to make two more similar voyages for negroes, and to proceed to Campeachy, near New Orleans, to provide himself with clearances.

During the voyage from the Coast of Africa to that of Havana, 40 negroes died of small-pox, and a Spanish sailor also.

We Maltese were shipped at Cadiz through the medium of a Spaniard called Giuseppe, a dealer in clothing, who has a small shop in the square at Cadiz, a short distance from an arcade near the Custom-house. We gave him 10 dollars a piece for his trouble.

I do not know the name of the Captain nor that of the owner, nor even of the consignees.

It seems that both the loading and landing of the negroes was effected under secret arrangements between the captain and the people on shore by means of signals.

The said ship steams at least sixteen miles an hour.

Valetta, April 9, 1864.

No. 84.

Consul Mark to Earl Russell.—(Received April 29.)

(Extract.)

Marseilles, April 20, 1864.

I HAVE the honour to transmit to your Lordship a copy of the deposition taken at Malta from Antonio Farrugia, a Maltese fireman, who was lately on board of the Spanish steam-ship "Ciceron."

Inclosure in No. 84.

Deposition of Antonio Farrugia.

Malta, Valetta, April 13, 1864.

ANTONIO FARRUGIA, figlio del fu Gaetano, di anni quarant'otto, nato e residente nella Cospicua, di mestiere fuochista, ha spontaneamente dato innanzi l'Infrascritto Magistrato la seguente informazione con giuramento in lingua Maltese, e dallo stesso Magistrato riportata in lingua Italiana:—

Fa che esercito il mestiere di fuochista insin da ventisette anni e feci diversi viaggi coi vapori della compagnia Peninsolare ed Orientale. Saranno tre anni, io era a bordo del vapore "Valetta," quindi lasciai quel servizio, e da Malta partii per Londra con un vapore Inglese mercantile "Water Lily," e rimasti in Londra circa quindici giorni per scaricare, partimmo per Liverpool per accomodare il legno, e dopo un mese circa partimmo per Belfast, ove rimasi circa una settimana o dieci giorni, ed abbandonai quel servizio.

Di là io andai a Greenock come passeggiere a bordo di un piccolo vapore mercantile, e pagai tre scellini e mezzo di passaggio; lì dimorai tre mesi disoccupato: allora m'imbarcai da Glasgow, ove era andiato colla strada ferrata, a bordo d'un vapore Spagnuolo denominato "Cadice," in qualità di fuochista per sei lire sterline di viaggio compresa la tornata, con essermi state pagate tre lire sterline in anticipato, e partimmo per Buenos Ayres, e lì si è venduto il vapore ai Francesi, e di guadagno si ricavarono da tale vendita tre mila lire sterline; di là presi passaggio per sette lire sterline per Cadice, a bordo di un vapore Francese: In Cadice stetti circa due giorni e m'imbarcai a bordo d'un vapore Spagnuolo della Compagnia di "Lopez," e dopo di essere rimasto a bordo circa un mese a lavorare, partii per l'Avana, e dopo tre mesi ritornammo a Cadice, e durai in tutto circa diciotto mesi al servizio di detta compagnia, imbarcandomi ora a bordo di uno, or di un altro legno. Abbandonato quel servizio durai in Cadice disoccupato circa quindici giorni, e d'un bel mattino, stando io nella Piazza di Cadice a fumare il mio sigaro con un altro Maltese di nome Angelo detto "ta Lombrelli," della Valetta, un certo Spagnuolo che si denomina Peppi, il quale procurava alla gente l'imbarco, mi disse: Vi è un'occasione per voi; volete venire? Ed io e quello "ta Lombrelli" accettammo, e siccome ci disse che otto persone occorreivano per questo legno, io e quello "ta Lombrelli" andammo a cercare Salvatore detto "tal Mimli," Maltese, dalla Cospicua, il quale era in chiesa ad assistere alla messa, e dopo circa sette giorni tutti i tre c'imbarcammo a bordo d'un vapore Spagnuolo,

contrabbandista, alle ore dieci di notte. Era l'està verso la metà di Agosto o Settembre scorso, epoca de' fichi, per venti pezze il mese, oltre il regalo, che in seguito ci si diede, e partimmo per la costa di Affrica. Il vapore non aveva numero, nè conosco il suo nome. Il capitano era Spagnuolo da Biscaglia, non ne conosco il nome, nè anche quello del proprietario. Il suo Traffico era nei negri. Oltre noi tre Maltesi vi erano addetti al fuoco altri sette Portoghesi, vi erano dieci marinari Spagnuoli, tre ingegneri Portoghesi, il sotto-capitano da Biscaglia, il nocchiere e sotto-nocchiere da Biscaglia ambidue. Eravamo diretti per la costa di Affrica, la traversata ci trattenne per circa ventiquattro giorni, perchè ci siamo lasciati prima del tempo; il nostro arrivo doveva seguire in un dato giorno, e così noi non abbiamo dato al vapore che poco fuoco quanto era sufficiente per farci arrivare al giorno stabilito.

Ci avvicinammo a terra verso le ore sei antemeridiane con trepidazione, e lasciato il vapore a poca distanza dalla terra, per mezzo delle nostre quattro lance e per mezzo delle tre lance di terra si fecero imbarcare a bordo del nostro legno circa mille e cinque cento negri, fra uomini, donne e ragazzi; il numero delle femmine era di circa quattro cento.

Quest' operazione d'imbarcare i negri durò per circa sette o otto ore. Io non scesi in terra, ma rimasi sempre a bordo.

Le nostre lance erano condotte dai nostri marinari, e quelli di terra dai negri. In terra vi erano tre Spagnuoli, a capo di questa operazione, i quali poi s'imbarcarono a bordo del nostro legno.

Tanto i negri che si portarono a bordo il nostro legno, quanto quelli che lavoravano colle lance, erano tutti nudi.

Prima che ci avvicinammo a terra si scambiarono dei segni per mezzo di bandiere tra il nostro vapore e quelli della spiaggia.

I negri imbarcati si misero, le femmine a poppa sulla coverta, e gli altri, parte nella stiva e parte sulla coverta.

Quando si caricavano i negri si osservò un vapore, e dubitando che quello fosse da guerra si ruppe la catena dell'ancora e salpammo per l'Avana.

Se ciò non fosse occorso si sarebbero caricati più negri. I negri non si legarono a bordo.

Dopo un viaggio di ventisei giorni arrivammo a quella costa verso le ore quattro pomeridiane, e scambiati dei segni con quelli di terra per mezzo di bandiere, si mandò una lancia dal nostro vapore con quattro marinari ed un Portoghese, che si chiamava Francesco (il quale era partito da Cadice con noi, e figurava di essere lui, quasi tutto, nel bastimento), verso terra, per parlare colla gente della spiaggia, e ritornata la lancia si diede fondo poco distante dalla spiaggia e s'incominciò a sbarcare i negri e fino le otto pomeridiane si terminò di disbarcare. Il trasporto dei negri dal nostro bordo a terra seguì per mezzo delle nostre lance, e delle lance in numero quattro circa di terra.

Vedete quanto comandava tutto Francesco da me nominato! Egli, nell'atto che si sbarcavano i negri, disse a noi tre Maltesi, Io vi darò sei cento pezzi oltre la paga, ed ai marinari darò cinque cento pezzi. Io e gli altri miei compagni gli rispondemmo, Come! quel Peppi di Cadice ci promise otto cento e voi ci volete dare sei cento? Egli ripigliò, Cosa c'entra quello che vi disse quello di Cadice, l'affare sta qui, il viaggio era breve. E noi ci siamo contentati, giacchè non voleva darci di più.

Dormimmo lì quella notte siccome eravamo stanchi; l'indomani mattino verso le ore quattro partimmo; non era con noi quel Francesco, perchè rimase in terra, ed andammo a Mohair; ci mancò il carbone, e ci ne siamo provveduti da un barque Spagnuolo proveniente da Avana, il quale aveva quattrocento tonnellate, e ci sono state consegnate, e spediteci dal Senhor Francesco, il quale era sceso a terra appositamente.

Dopo circa dodici giorni partimmo da Mohair per Avana: non entrammo in dentro; restammo assai fuori aspettando che ci si provvedessero le carte da quel Francesco; durammo così in crociera due giorni; venne Francesco a bordo, portò provvisione di pane ed altro, e scese di nuovo dal bordo a terra, senza aver portato le carte.

Dì là partimmo per Matamoros, e siccome lì è Repubblica ci provvedemmo delle carte necessarie.

In Matamoros ci siamo trattenuti circa sette settimane; caricammo circa cinque cento balle cotone e le scaricammo in Barcellona, dopo una traversata di quarantasei giorni. Io sbarcai in Barcellona e mi furono date le paghe dei mesi, mentre le parte del mio profitto ossia regalo su i negri; mi era stata pagata in Matamoros, parte in dobloni e parte in quarti di dobloni.

In tutto, dal mio imbarco in Cadice al mio sbarco in Barcellona scorsero sei mesi meno tre giorni. In Barcellona stetti tre giorni aspettando il vapore per Marsiglia, ove andai a bordo d'un vapore Spagnuolo, con aver pagato tre pezzi a mezzo di nolo; e dopo otto giorni circa da Marsiglia venni in Malta col vapore "Valetta" che conduca il Generale Garibaldi.

Dalle conversazioni che si tenevano a bordo del vapore Spagnuolo, che aveva caricato come ho detto negri, seppi che oltre quel viaggio così fatto per i negri, come sopra ho spiegato, doveva farne altri due, e quindi proseguire il viaggio per un paese detto Campeachy, vicino New Orleans, per provvedersi di spedizioni. Durante il viaggio dalla costa d'Africa a quella di Avana morirono da quaranta negri di vajuolo ed un marinaio Spagnuolo.

Quel Peppi (Giuseppe) che ci procurò in Cadice l'imbarco, come ho detto, è venditore di robe, detiene una piccola bottega nella Piazza di Cadice, vicino la Dogana, al quale dagli avanzi, io ed i miei compagni Maltesi pagammo dieci pezzi per uno. Il vapore suddetto, che caricò i negri, fa sedici miglia l'ora di cammino.

(Firmato.) ^{Mano} ANTONIO ~~X~~ FARRUGIA.
propria.

Dicendo di non sapere scrivere ha fatto la contro marca in mia presenza.

(Firmato) C. CARBONE, *Magistrato*.

Rilasciata oggi 15 Aprile, 1864, alla Polizia.

(Translation.)

Malta, Valetta, April 13, 1864.

ANTONIO FARRUGIA, son of Gaetano, deceased, forty-eight years of age, born at and residing in Cospicua, a fireman by trade, has of his own accord given, on oath, before the undersigned magistrate the following information in the Maltese language, translated into Italian by the said magistrate:—

I have been a fireman from the age of twenty-seven years, and have made several voyages on the Peninsular and Oriental Company's steamers. Three years ago I was on board of the steamer "Valetta;" I then left that service, and left Malta for London with an English merchant steamer, the "Water Lily," and stayed in London to unload; we then left for Liverpool to get the ship in order, and we went about a month after to Belfast, where I stayed about a week or ten days, and then left that service.

From thence I went to Grenock as passenger on board of a little merchant steamer, and I paid 3s. 6d. for my passage. I stayed there three months doing nothing; then I embarked from Glasgow, where I went by railway, on board of a Spanish steamer called "Cadiz" as a fireman for 6l. sterling the voyage and return, 3l. sterling being paid me in advance. We left for Buenos Ayres, and there the steamer was sold to the French, and 3,000l. sterling was gained by that sale; from thence I took a passage to Cadiz, on board of a French steamer. I stayed about two days in Cadiz, and embarked on board a Spanish steamer of the Company of "Lopez," and after remaining about a month working on board, I went to Havana, and in three months more we returned to Cadiz, and I remained altogether about eighteen months in the service of that Company, embarking sometimes on one boat and sometimes on another. Having left that service, I stayed in Cadiz doing nothing about a fortnight, when, one morning, as I was standing smoking my cigar in the Plaza de Cadiz with another Maltese named Angelo, who was called "ta Lombrelli" of Valetta, a certain Spaniard named Peppi, who helped to get people situations on board ship, said to me, "There is an opportunity for you, will you come?" and I with that "ta Lombrelli" accepted; and as we were told that eight persons were wanting on that vessel, I and that "ta Lombrelli" went to look for Salvatore, called "tal Mimli," a Maltese of Cospicua, who was in church attending mass; and about a week after we all three embarked on board of a Spanish steamer, a smuggler, at 10 o'clock at night. It was in summer, about the middle of August or September, in the season of figs, at 20 dollars a month besides the gift [regalo] which they gave us afterwards, and we set out for the Coast of Africa. The steamer had no number, and I do not know her name. The captain was a Spaniard from Biscay; I do not know his name, nor the owner's name. His Traffic was in negroes. Besides us three Maltese, there were seven others, Portuguese, to attend to the fire; there were also ten Spanish sailors, three Portuguese engineers, the mate (a Biscayan), the steersman and under-steersman, both from Biscay. We were bound to the coast of Africa; the passage took us about twenty-four days, because we departed before the time; the arrival was to be on a given day, and so we did not give to the steamer much fire, but just sufficient to arrive on the day appointed.

We approached the shore about 6 o'clock in the afternoon with fear, and left the steamer at a short distance from shore by means of our four boats; by the help of three shore-boats we brought on board about 1,500 negroes, men, women, and children; the number of women was about 400.

The operation of embarking the negroes lasted about seven or eight hours. I did not land, but stayed all the time on board.

Our boats were rowed by our sailors, and the shore-boats by negroes. There were three Spaniards on shore conducting this operation, who afterwards embarked on board our ship.

The negroes who were brought on board our ship, as well as those who rowed the boats, were all naked.

Before approaching the land, signals were exchanged with the people on shore by means of flags.

The negro women brought on board were placed under the deck at the poop, the other negroes, part in the hold and part beneath the deck.

When the negroes were embarked a steamer was seen, and apprehending that she was a war steamer, the anchor-chain was broken and we departed for the Havana.

If that had not happened we should have embarked more negroes. The negroes were not chained on board.

After a passage of twenty-seven days we reached that coast at about 4 o'clock in the afternoon, and after exchanging signals by flags with the people on land, a boat was sent on shore from our steamer with four sailors and a Portuguese named Francesco (who had left Cadiz with us, and had acted as if he were the head man in the ship) to speak with the people on shore, and on coming back the boat took the ground not far from land; then the landing of the negroes was begun and finished at about 8 o'clock at night. The conveyance of the negroes from our ship to land was effected by our boats and by about four in number of shore-boats.

See how Francesco, whom I have mentioned, commanded everything! While the negroes were landing, he said to us three Maltese, "I will give you 600 dollars over your pay, and I will give 500 dollars to the sailors." I and my other companions answered him, "Now, that Peppi of Cadiz promised us 800, and you will give us 600!" "What have we to do with what the man of Cadiz said? the business is here; it has been a short passage." And we were content, as he would not give us any more.

We slept there that night, as we were tired; we left on the following morning at about 4. That Francesco was not with us, because he remained on land, and we went to Mohair; we wanted coal, and obtained it from a Spanish barque out of Havana, which had 400 tons; they were consigned to us and sent by Senhor Francesco, who had landed for the purpose.

After about twelve days we left Mohair for Havana; we did not go in, we waited at a distance outside, expecting papers to be furnished us by that Francesco; we remained there cruising about for a couple of days. Francesco came on board, bringing a provision of bread and other things, and then landed again without having brought the papers.

From thence we went to Matamoros, and, as it is a Republic, there we provided ourselves with the requisite papers.

We stayed in Matamoros about seven weeks; we took in about 500 bales of cotton, and landed them in Barcelona, after a passage of forty-six days. I landed in Barcelona, and received the pay for the months, the part of my profit or regalo on the negroes having been paid me in Matamoros, part in doubloons and part in quarter-doubloons.

In all, from my leaving Cadiz to my landing in Barcelona, six months less three days had elapsed. I remained three days in Barcelona awaiting the steamer for Marseilles, where I went on board a Spanish steamer, paying $3\frac{1}{2}$ dollars for my passage; and after about eight days from Marseilles I came to Malta on the steamer "Valetta," which carried General Garibaldi.

From conversations which took place on board the Spanish steamer which carried negroes, as I have stated, I learned that in addition to that voyage for negroes, as I have mentioned above, she was about to make two others, and then to make another to a country called Campeachy, near New Orleans, to get shipments. During the voyage from the coast of Africa to that of Havana forty negroes and one Spanish sailor died of small-pox.

That Peppi (Joseph) who procured us the berth in Cadiz, as I have mentioned, sells goods and has a little shop in the Plaza de Cadiz near the custom-house, and I and my Maltese companions paid him 10 dollars each out of our gains. The steamer which conveyed the negroes makes sixteen miles an hour.

(Signed)

Mano
ANTONIO $\times$ FARRUGIA.
propria.

Declaring that he could not write, he made his mark in my presence.

(Signed) C. CARBONE, *Magistrate*.

Issued at the Police Office, this 15th April, 1864.

ITALY.

No. 85.

Earl Russell to Mr. Elliot.

Sir,

Foreign Office, October 8, 1864.

I TRANSMIT to you for your information a copy of a despatch from Her Majesty's Commissioner at Loanda, reporting the boarding on the 22nd of July last by Her Majesty's ship "Dart" of the brigantine "Melvira," under Italian colours, which were afterwards hauled down, and the vessel captured on suspicion of being engaged in the Slave Trade.

I am, &c.
(Signed) RUSSELL.

No. 86.

Earl Russell to Mr. Elliot, No. 43, December 7, 1864.

[See No. 21.]

No. 87.

Mr. Elliot to Earl Russell.—(Received December 29.)

My Lord,

Turin, December 22, 1864.

WITH reference to your Lordship's despatch of December 7th, proposing to treat Slave Trade as piracy, I have the honour to report that I have addressed to General La Marmora a note embodying the contents of that despatch.

I have, &c.
(Signed) HENRY ELLIOT.

MADAGASCAR.

No. 88.

Consul Pakenham to Earl Russell.—(Received December 12.)

My Lord,

Tamatave, October 10, 1864.

THE inclosed copies of a correspondence between myself and the Hova Government will place your Lordship in possession of certain important facts in connection with the Traffic in Slaves from beyond sea, on the north-west coast of this island.

I have placed in the hands of the Governor of Tamatave copies of the papers relating to the Slave Trade lately laid before Parliament, in order that he may read them, and be convinced that the British Government is determined to put a stop to it, in whatever part of the world it is carried on; and I shall inform Admiral King at Bombay, and Captain Gardner at Zanzibar, of what is going on here.

In the event of the Hova Government not carrying out the suggestion contained in my letter to the Prime Minister, I will do myself the honour of submitting to your Lordship the course which I should recommend being followed.

I have, &c.

(Signed) T. C. PAKENHAM.

Inclosure 1 in No. 88.

Consul Pakenham to the Governor of Tamatave.

Sir,

Tamatave, October 7, 1864.

LAST evening some Hovas called upon me with three Mozambique children, between the ages of ten and twelve, for sale.

On questioning the men who accompanied these children, I learnt that they had purchased them out of an Arab dhow at Maranset, Antongil Bay.

It is therefore evident, notwithstanding the repeated assurances given me by the Hova Government to the contrary, that persons from beyond the sea are still imported into Madagascar and sold there as slaves; and my object in now addressing you is to request that you will be so good as to cause a searching inquiry to be at once instituted into the whole circumstances of this case, with a view to my being furnished with the following information:—

1. Date of arrival of Arab dhow.
2. Her name.
3. Under what flag.
4. Where from.
5. Number of Mozambique slaves landed.
6. Number sold.

I shall feel obliged by your early attention to this matter.

I have, &c.

(Signed) T. C. PAKENHAM.

Inclosure 2 in No. 88.

The Governor of Tamatave to Consul Pakenham.

(Translation.)

Friend,

Tamatave, October 7, 1864.

FEW, very few in the land of Madagascar who know the reason why that should not be done.

The letter which you gave me was sent last night. We will then see better what can prevent that; and I will do my utmost to finish well that business.

Those Mozambiques come from Nourasanga, and not from Maranset. I know it from a good source.

I thank you, and am very glad to learn and hear these many things though you. May you live long, saith your true friend,

(Signed) RAHAROLAHY.

Inclosure 3 in No. 88.

Consul Pakenham to Governor of Tamatave.

My dear Sir,

Tamatave, October 8, 1864.

IN the literal translation of your note of yesterday now before me, I am unable to discover any answer to mine of the same date, to which I beg you will give a clear and intelligible reply as soon as possible.

Yours faithfully,
(Signed) T. C. PAKENHAM.

Inclosure 4 in No. 88.

The Governor of Tamatave to Consul Pakenham.

(Translation.)

Friend,

Tamatave, October 8, 1864.

ABOUT the little Mozambique slave children offered for sale to you by people, I know for certain that they come from Anourotsanga to sell them, but certainly not from Maranset; and my Queen has given orders to all Governors not to buy slaves who come from beyond the sea. I will also write to the Governor of Anoroutsanga and ask him:—

When that Arab dhow arrived.

Its name.

Under what flag.

Where from.

The number of the Mozambiques landed.

The number sold.

I will do my best to know who do this, for I know of a certainty that this is done unlawfully in this country through our Treaty.

May you live long, &c.

(Signed) RAHAROLAHY,
15th Honour Officer of the Palace.

Inclosure 5 in No. 88.

Consul Pakenham to the Prime Minister of Madagascar.

Sir,

Tamatave, October 10, 1864.

I REGRET to state that within the last few days I have obtained the clearest proof that a considerable number of Mozambique slaves are yearly landed from Arab dhows on the north-west coast of Madagascar, and there purchased by Hovas, who take them to the capital and other places in order to sell them.

I need not point out to you that this shameful traffic is carried on in utter disregard of the engagements which your Government has already contracted towards England; of the stipulations of Article I of the Treaty which your Envoys themselves lately proposed, and of those contained in Article XVIII of the new Treaty under negotiation.

Although I am not prepared to affirm that, under existing circumstances, your Government is in a position immediately to prevent the further importation of slaves from beyond the sea to the north-west coast, still truth compels me to state that you are fully able to render a continuance of this nefarious trade to a great extent impracticable, by prohibiting the sale of such slaves at Antananarivo and other parts of your country.

As, therefore, I can consent to no compromise whatever in respect to this matter, I must now claim on behalf of the British Government the immediate adoption of measures calculated effectually to stop the sale of slaves from beyond the sea in all parts of Madagascar; and I can suggest no means more likely to attain this end than the issue of a Proclamation by Her Majesty Rasoherina Mpanjaka, declaring that for the future the traffic in slaves from beyond the sea in any part of this island will be adjudged piracy, and punished as such. At the same time, I can conceive no act on the part of the Hova Government more conducive to the belief that they are really sincere in their professions of esteem and friendship towards the British nation.

I need only add that I shall be glad to receive your reply to the present communication as early as possible, in order that I may transmit a copy thereof to Earl Russell.

I have, &c.

(Signed) T. C. PAKENHAM.

No. 89.

Earl Russell to Consul Pakenham.

Sir,

Foreign Office, December 31, 1864.

I HAVE received your despatch of the 10th of October last, inclosing copies of a correspondence which has passed between you and the Hova Government relative to the traffic in slaves which is carried on between the mainland of Africa and the north-west coast of the Island of Madagascar; and I have to instruct you to acquaint the Hova Government that Her Majesty's Government entirely approve the representations addressed by you to the Governor of Tamatave and to the Prime Minister of Madagascar on this subject.

I am, &c.

(Signed) RUSSELL.

MONTE VIDEO.

No. 90.

Mr. Lettsom to Earl Russell.—(Received November 6.)

My Lord,

Monte Video, September 22, 1864.

AMONG the complaints addressed by the Government of this Republic to the Government of Brazil there are many that bear upon the Slave Trade.

These complaints may be divided into two classes—complaints as to the seizure in the Brazilian territory and the sale there as slaves of Uruguayan citizens, and complaints as to the invasion of the Uruguayan territory by Brazilians, and their forcibly carrying off Uruguayan citizens, in order to sell them as slaves in the territory of the Empire.

In Parliament not many weeks ago it was stoutly asserted that the Brazilian Government could no longer be accused with justice of protecting this nefarious traffic.

What ground there is for that assertion your Lordship will, I think, gather from what follows. It will be seen, as I conceive, that so far from doing its best to suppress this traffic the Government of Brazil directly protects it in two ways. Firstly, by its indifference as manifested by its not even condescending to reply to the notes of the Uruguayan Minister at Rio de Janeiro upon the subject of the seizure and sale as slaves of Uruguayan citizens; and, secondly, by its not proceeding to punish its own authorities that take an active share in the selling of citizens of this Republic.

The cases I am about to submit to your Lordship's notice will, I think, bear out my views upon these points. I extract them from a list of grievances attached to the official printed copy of the note addressed on the 4th of May last by Señor J. J. de Herrera, late Minister for Foreign Affairs, to his Excellency the Councillor Saraiva, Envoy Extraordinary and Minister Plenipotentiary of Brazil, on a special mission to this Republic.

Senhor Saraiva had addressed to this Government a statement of Brazilian grievances, and Señor J. J. de Herrera, in his answer to that communication, forwarded to his Excellency a kind of counter-statement of the grievances against Brazil of which this country has to complain.

1. On 16th July, 1858, his Excellency Señor Andrés Lamas, the Minister of this Republic at Rio de Janeiro, addressed a note to the Brazilian Government, complaining of the seizure of an Uruguayan woman of colour, of the name of Emilia, and her two sons, at the town of Artigas, in this country, in order to sell them all as slaves in Brazil.

This communication has not been answered.

2. Señor Lamas complained on the 20th September, 1858, to the Brazilian Government on the part of an Uruguayan named Joaquin, who had sought the protection of his Consulate at Pelotas.

This complaint remains without answer.

3. On 2nd October, 1857, Señor Lamas addressed a similar complaint to the Brazilian Government in favour of a woman of colour, Maria del Rosario Brum.

This matter is still pending.

4. On 25th November, 1857, Señor Lamas addressed the Brazilian Government in favour of the Uruguayan man of colour José Pricino.

The complainant obtained his liberty owing to Señor Lamas granting him an asylum in the house of the Uruguay Legation at Rio de Janeiro, but the Brazilian Government paid no attention to the note above alluded to.

5. On 23rd April, 1858, Señor Lamas addressed the Brazilian Government on behalf of an Uruguayan negress named Gregoria, reduced to slavery in Rio Grande, and sent to Rio de Janeiro to be sold under the fictitious name of Tomasa.

This application led to no result.

6. On 24th April, 1858, Señor Lamas addressed a note to the Brazilian Government touching various Uruguayan citizens of colour kept in slavery in the town of Rio Grande. This application has remained unanswered.

7. On 26th April, 1858, Señor Lamas addressed a note to the Government of Brazil relative to the Uruguayan female named Claudia and her children, held in slavery at Yaguaron.

This matter is still pending.

8. On 26th April, 1858, Señor Lamas addressed a note to the Government of Brazil in behalf of a young Uruguayan named Libiano, held in slavery in Rio Grande.

This communication has not been replied to.

9. On the 20th September, 1858, Señor Lamas addressed a note to the Brazilian Minister for Foreign Affairs touching two Uruguayans, men of colour, who were kidnapped and ordered to be sold by Leonardo José de Silva.

This matter is still pending.

10. On 18th March, 1860, Señor Lamas addressed a note to the Brazilian Government complaining of Brazilian authorities who delivered up to slavery an Uruguayan woman named Joaquina and her seven children.

This matter is still pending.

11. On 27th March, 1860, Señor Lamas applied for permission for the family of Joachin Cabrera, an Uruguayan of colour, to land unmolested.

No reply has been received to this application.

Independent of the instances here cited of indifference, to say the least, on the part of the Brazilian Government as to giving ear to complaints bearing on the subject of slavery, I could cite numerous other cases of a similar kind—some of them of a most aggravated nature—extracted from an annex appended to Señor J. J. de Herrera's note above referred to.

As the complaints of which I speak in the preceding paragraph are, however, of a considerably older date than those consigned in this despatch, I think it better not to forward to your Lordship any detailed account of the matters referred to in the annex in question.

I feel certain that nothing can be further from your Lordship's wishes than having your attention called to occurrences essentially distressing in themselves, and which it would serve no good end to bring again to light.

I have, &c.

(Signed) W. G. LETTSOM.

MUSCAT.

No. 91.

Lieutenant-Colonel Playfair to Earl Russell.—(Received January 15, 1864.)

My Lord,

Zanzibar, October 5, 1863.

I HAVE the honour to report, that in consequence of my representations to His Highness Seyed Majid, the slave-dealers, foiled in their endeavours to obtain cargoes of slaves in Zanzibar with the same facility as formerly, having transferred their operations to Keelwa, His Highness has issued the following orders:—

1. The Governor of Keelwa is instructed to allow no boats to embark slaves at that port, without a special permit from the Zanzibar Custom-house.

2. This permit is to be given to none save, actual natives of His Highness dominions.

3. Slaves embarked with permission are only to be conveyed to Zanzibar.

This order, if strictly obeyed, will go far towards confining the Slave Trade within the limits allowed by Treaty.

I have, &c.

(Signed) R. L. PLAYFAIR.

No. 92.

Lieutenant-Colonel Playfair to Earl Russell.—(Received January 16, 1864.)

My Lord,

"Pleiad," October 18, 1863.

I FORWARD, for your Lordship's information, copies of a correspondence between the Acting French Consul at Zanzibar, Captain Chapman, R.N., and myself, regarding an alleged improper search of a French dhow by the boats of Her Majesty's ship "Ariel."

2. Unless greater discrimination is exercised by the French Colonial Commandants regarding the nature of the boats to which they grant French registers, I foresee that the present will prove but the first of a long series of similar cases.

I have, &c.

(Signed) R. L. PLAYFAIR.

Inclosure 1 in No. 92.

M. Jablonski to Lieutenant-Colonel Playfair.

M. le Consul,

Zanzibar, le 6 Octobre, 1863.

J'AI l'honneur de vous transmettre la copie du rapport extraordinaire du Sieur Bakary Matsindé, patron du coudre Français "Noussoura" du port de Mayotte. Ce document constate les abus déplorables que commettent certains officiers de Sa Majesté Britannique en procédant à la vérification de la nationalité des coudres Français. Vous savez, M. le Consul, que cette vérification doit consister dans l'examen des papiers du navire et que rien ne doit être réclamé de plus que la présentation de ces pièces; toute enquête sur la nature du chargement et sur les opérations commerciales des navires, sur un autre fait, en un mot, que leur nationalité, tout recherche, toute visite, est absolument interdite. Ces dispositions résultent du reste du principe de l'indépendance du pavillon et de la non-admission pour nos navires Français d'autre juridiction que celle des autorités de Sa Majesté l'Empereur des Français.

J'aime à croire, M. le Consul, que de pareils faits ne sont causés que par l'ignorance du droit international par les officiers commandant les embarcations détachées des croiseurs, et je vous prie de vouloir bien intervenir auprès des Messieurs les Commandants des navires de guerre de Sa Majesté Britannique, afin que les instructions soient données de manière à empêcher que de pareils faits ne se renouvellent.

Veuillez, &c.
Le Gérant du Consulat,
(Signé) H. JABLONSKI.

Inclosure 2 in No. 92.

Deposition of Bakary Matsindé.

Consulat de France à Zanzibar.

CEJOURD'HUI 5 Octobre, 1863, par devant nous, Gérant du Consulat de France à Zanzibar, assisté de M. Elzéar Peironnet, capitaine au long cours résidant en cette ville, M. Fortuné Gaubert, chancelier substitué, tenant la plume ;

Est comparu le Sieur Bakary Matsindé, patron du coute Français "Noussoura," inscrit au port de Mayotte, No. 85, appartenant au Sieur Amadi Mary, du port de 55⁶⁹/₁₀₀ tonneaux ;

Lequel, après avoir prêté le serment suivant le rite Musulman, nous a déclaré ce qui suit :—

"Je suis parti de Mayotte le 7 Août, 1863 ; jusqu'à mon arrivée à Kissimayouou je n'ai rien de particulier à relater. Vis-à-vis de cet endroit, en pleine mer, j'ai été accosté par une embarcation d'un navire de guerre Anglais ; l'officier qui commandait l'embarcation est monté à bord de mon coute, a demandé exhibition de mes papiers et a fait appel de tous les matelots suivant le rôle d'équipage, après quoi il s'est éloigné. Je continuai mon chemin. J'ai été accosté de nouveau par une autre embarcation de guerre Anglaise près de l'Isle de Mohéli. L'officier qui commandait cette embarcation est monté à mon bord ; il a demandé aussi l'exhibition de mes papiers et après les avoir examinés, s'est retiré. Pendant la première ainsi que pendant la seconde visite le pavillon Français était arboré. J'ai passé sept jours à Mohéli ; l'absence de l'autorité Française dans ce pays m'a empêché de faire mon rapport. De Mohéli je suis parti pour Kiloa. Mouillé dans le port de cette ville, mon équipage étant occupé à retirer le riz mouillé de la cale sur le point pour le faire sécher, j'ai vu deux embarcations de guerre Anglaises se diriger sur moi. Je fis arborer immédiatement le pavillon Français. L'officier d'une de ces embarcations est monté à bord et après avoir examiné mes papiers, entendant le bruit fait dans la cale par mes hommes occupés à retirer le riz mouillé, s'est mis en colère ; et après avoir beaucoup crié et gesticulé, il a demandé de la lumière pour pénétrer dans la cale, et il y a envoyé un matelot, lequel est descendu, et après l'avoir visitée a fait son rapport à l'officier ; puis ils se sont éloignés. Parti de Kiloa, j'ai mouillé au banc de Fougouni ; les embarcations Anglaises sont revenues encore, un des officiers m'a donné l'ordre de donner la remorque à la plus petite et de poursuivre ainsi ma route jusqu'à nouvel ordre ; l'embarcation ne m'a quitté que près de Monfia. Je fis dès lors route sur Zanzibar, où j'ai mouillé le 3 Octobre, 1863, à 4 heures du soir."

Le Sieur Bakary Matsindé nous a déclaré en outre que ces visites répétées, plus le temps qu'il a perdu en donnant la remorque à une embarcation de Sa Majesté Britannique, lui ont causé de préjudiciables retards et ont nui beaucoup à ses intérêts commerciaux dans le voyage projeté, et qu'il désire pour sa décharge faire information sur tout ce que dessus, pour l'information prise, lui servir et valoir ce que de raison.

Dont acte fait et passé à la Chancellerie du Consulat de France à Zanzibar, le jour, mois et an que dessus.

Et avons signé,

(Signé) BAKARY MATSINDE.
E. PEIRONNET.
Le Chancelier substitué,
GAUBERT.
Le Gérant du Consulat,
JABLONSKI.

Et à l'instant se sont présentés devant nous les principaux d'équipage du dit coute Français "Noussoura," savoir, Aly, Ousséni, Moussa Faki Abdallah, Aly Omissi, Malbrouk, Abdallah, lesquels après avoir prêté le serment suivant le rite Musulman sur le

Coran, et interrogés séparément ont déclaré que le rapport du Capitaine contient l'exacte vérité et qu'ils les savent pour avoir été présents; et ayant déclaré ne pas savoir signer, nous avons signé.

(Signé) E. PEIRONNET.
Le Chancelier substitué,
GAUBERT.
Le Gérant du Consulat,
JABLONSKI.

Nous avons donné acte au Sieur Bakary Matsindé, Capitaine du coute Français "Noussoura," des déclarations ci-dessus consignées pour lui servir et valoir ce qu'il appartiendra, et nous, Gérant du Consulat de France sus qualifié, avons signé le présent et y avons apposé le sceau de notre Consulat les jour, mois et an que dessus.

Le Gérant du Consulat,
(Signé) JABLONSKI.
Par le Gérant du Consulat,
Le Chancelier substitué,
GAUBERT.

Inclosure 3 in No. 92.

Lieutenant-Colonel Playfair to M. Jablonski.

Sir,

Zanzibar, October 7, 1863.

I HAVE the honour to acknowledge the receipt of your letter of yesterday's date, on the subject of the alleged proceedings of certain boats of Her Britannic Majesty. I shall take steps to have the matter thoroughly investigated, but I regret that some time must elapse before I can communicate with you again on the subject, as I purpose leaving Zanzibar to-morrow, and I shall be probably absent more than a month.

I have, &c.
(Signed) R. L. PLAYFAIR.

Inclosure 4 in No. 92.

Lieutenant-Colonel Playfair to Commander Chapman.

Sir,

Zanzibar, October 7, 1863.

I HAVE the honour to inclose, for your perusal, a communication to my address from M. Jablonski, Gérant of the Consulate of France at Zanzibar, dated 6th instant.

It appears probable that the boats therein alluded to belong to the vessel under your command. I would therefore beg you to have the goodness to cause the affair to be investigated in such manner as you may deem fit.

I have, &c.
(Signed) R. L. PLAYFAIR.

Inclosure 5 in No. 92.

Commander Chapman to Lieutenant-Colonel Playfair.

Sir,

"Ariel," at Sea, October 14, 1863.

IN answer to your letter of the 7th instant, with its inclosure, from the Consul for France at Zanzibar, forwarding the statement of the master of the French boat "Noussoura," relative to the proceedings of the boats of Her Majesty's ship I command when cruising for the suppression of the Slave Trade, I have the honour to forward the explanation of Lieutenant Stubbs, Senior Lieutenant of Her Majesty's ship I command, who was in charge of the boats in question. Lieutenant Stubbs entirely refutes the statement of the master of the "Noussoura."

You will perceive that, by the statement of the master of this vessel it appears that he complains of having suffered detention and also that the international law was infringed, which, by the inclosure appended, appears to be entirely false, as the master of the

"Noussoura," on parting company with the boats, expressed himself satisfied, and had no complaint whatever to offer; subsequently remaining sixteen hours at anchor off KISSOMANG Point. It therefore appears to me very odd that, on his arrival at Zanzibar only a few days afterwards, he should make such a statement and swear to its truth.

On board this vessel there were several Johannamen as passengers, who thoroughly understood English, and acted as interpreters to Lieutenant Stubbs, who was well known to them.

With reference to the first time this vessel was boarded, off Kissimayouou, I ordered Mr. Cole, Master, to visit her to verify her flag and examine her papers, as so many dhows on this coast are now flying the French flag, and as she was in a most suspicious part of the coast for the time of the year. Several cargoes of slaves have been shipped during the months of August and September for Mohilla and Comoro from the neighbourhood of Mosembé, and at these islands have been transferred, in small numbers, to dhows under the French flag.

Whilst the present system of providing French colours indiscriminately to any vessels, whether armed by Northern Arabs or not, is carried on, I see no chance of discovering whether a vessel is engaged in legitimate commerce, or otherwise, unless a strict examination of her papers is made, as search is not allowed.

It is to be borne in mind that the statement of the proceedings of the boats in question is made by an Arab, and, by your great experience of their character and veracity, you will doubtless think with me that very little faith should be placed in it.

In conclusion, I beg to inform you that I have issued stringent directions to officers on detached service to be most careful in visiting vessels under the French flag for the purpose of verifying their nationality.

I have, &c.
(Signed) W. C. CHAPMAN.

Inclosure 6 in No. 92.

Lieutenant Stubbs to Commander Chapman.

Sir,

"Ariel," Mesal Island, October 10, 1863.

IN answer to your Memorandum, inclosing a letter from Her Majesty's Consul relative to the alleged proceedings of the boats under my orders in boarding and visiting the French dhow "Noussoura," I have the honour to report as follows, with reference to the first portion of this inclosure, this dhow was not boarded, neither was her muster-roll called, off Kissimayouou.

On the 28th of August Mr. Worthington, Gunner, visited this vessel, and after having examined her papers immediately left her; the Nacoda informed him that he was quite satisfied, and made no complaint.

With reference to the visit at Keelwa, with the permission of the Governor upon whom I waited, I boarded the dhow, accompanied by the coxswain; and whilst looking at her papers, Mr. Worthington came on board, and remarked that it was the same vessel he had visited on the 28th August. We thereupon immediately left her; no person went below, and no questions were asked, and as for my having demanded a light I positively deny it. The master's statement of the proceedings at Keelwa is entirely false.

Near Keelwa Bank we again fell in with the "Noussoura;" and being anxious to reach Monfia with despatch, I asked the master if he had any objection to towing the gig as far as Okaya Bank (a distance of seven miles); he immediately complied with my request.

Upon meeting a buddeen dhow near the Okaya Bank I asked him, as a favour, to interpret her papers for me, which he willingly did, casting off the gig at the same time.

The "Noussoura" was again fallen in with at anchor off KISSOMANG Point, but was not boarded; she remained here some sixteen hours. I therefore cannot see how the master complains of detention.

On parting company with this vessel near Okaya Bank the master was satisfied with our proceedings, and stated that he had suffered no detention whatever.

I beg, in conclusion, to state that, as far as the proceedings of the boats under my orders are concerned, the law of nations was in no wise infringed.

I have, &c.
(Signed) W. B. STUBBS,
Senior Lieutenant, in charge of Cutter and Gig H.M.S. "Ariel."

Inclosure 7 in No. 92.

Lieutenant-Colonel Playfair to M. Jablonski.

Sir,

Zanzibar, October 16, 1863.

WITH reference to your letter of the 6th instant, I have the honour to forward the explanation of Captain Chapman, commanding Her Majesty's ship "Ariel," regarding the proceedings complained of in your communication under reply.

I do not doubt that you will consider it quite satisfactory; and in this hope I have, &c.

(Signed) R. L. PLAYFAIR.

No. 93.

Earl Russell to Lieutenant-Colonel Playfair.

Sir,

Foreign Office, February 10, 1864.

I HAVE received your despatch of the 5th of October last, reporting the measures adopted by the Sultan Seyed Majid to prevent the exportation of slaves from the port of Keelwa, on your representing to His Highness that the slave-dealers had transferred their operations to that place in consequence of being foiled in their endeavours to obtain cargoes of slaves at Zanzibar; and I have to instruct you to express to the Sultan the satisfaction of Her Majesty's Government at his conduct in this matter.

I am, &c.
(Signed) RUSSELL.

No. 94.

Lieutenant-Colonel Playfair to Earl Russell.—(Received March 15, 1864.)

My Lord,

Zanzibar, November 16, 1863.

I HAVE the honour to forward, for your Lordship's information, extracts of my letter dated the 15th instant to the Government of Bombay.

The passages omitted are merely descriptive or historical, and have no bearing whatever on the subject of the Slave Trade.

I have, &c.
(Signed) R. L. PLAYFAIR.

Inclosure in No. 94.

Lieutenant-Colonel Playfair to the Chief Secretary to the Government of Bombay.

(Extract.)

Zanzibar, November 15, 1863.

I HAVE the honour to report, for the information of his Excellency the Governor-General in Council, that, impressed with the importance of making myself well acquainted with the various countries around Zanzibar, especially those more or less connected with the Slave Trade, I left Zanzibar on my projected tour on the 8th of October.

I had intended proceeding at once to the south in the "Pleiad," but Commander Chapman, R.N., who purposed leaving on the same day for Pemba, invited me to accompany him in Her Majesty's ship "Ariel;" I gladly availed myself of his kindness, and sent the "Pleiad" to await my arrival at Ibo.

We anchored off Chak-chak, the principal port of Pemba, on the morning of the 9th, and left on Sunday the 11th. These two days were occupied by the ships' boats in searching the numerous creeks and harbours for slave dhows, and by Captain Chapman and myself in visiting the main and adjacent islands.

Next to Zanzibar, Pemba is the most considerable island in the dominions of His Highness Seyed Majid, and produces considerable quantities of rice, manioc, fruit, and vegetables. It is cut up in every direction by creeks, which are much frequented by country craft engaged in the Slave Trade, while, owing to the numerous reefs and shoals, and to the imperfect survey of the island, they are quite impracticable for vessels of war. No slaves were found on this occasion.

It is more unhealthy than Zanzibar, and the mortality from fever is so great that it is a question whether it could be kept under cultivation were the supply of slave labour cut off.

We arrived at Ibo, or Weebo (where I found the "Pleiad" awaiting me) on the morning of the 18th. This is one of a numerous group of islands to the south of Cape Delgado, and capital of the district of the same name. It contains nearly 3,000 natives, but very few Europeans. There are twelve Banian merchants and one Frenchman, representing the well-known firm of Regis Ainé, of Marseilles, a house once deeply engaged in the Slave or "free engagé" Trade.

The town is clean, and the houses, though poor, are neatly built and kept, but its aspect is most depressing. The Governor assured me that it had an important trade in ivory, copal, &c., but assuredly one could not divine this fact from the appearance of the town. There were very few dhows in the harbour, no signs of life or commercial activity in the streets; the European and half-caste population appeared, to a man, to be miserable, fever-stricken wretches, and the only signs of work I observed were the processions of prisoners or refractory slaves engaged in carrying building material for the public works in course of construction.

From Ibo I proceeded to Mozambique, where I arrived on the morning of the 21st, and remained till the afternoon of the 26th. I met with a very hospitable reception from the Governor-General, Brigadier João Tavaréz de Almeida, who invited me to reside at the Palace, and from one of the principal merchants of the city, with whom I spent two days at his villa on the mainland at Cabaceira.

The city of Mozambique is situated on a sandy island about 1 mile long and 300 paces broad. I was prepared by the report of Captain Crawford, R.N., quoted in the last "Blue Book" on the Slave Trade, to find it "a heap of ruins;" but I was agreeably surprised to find it clean and solidly built. The houses of the Europeans are large double-storied buildings, in excellent preservation, many of them superior to the best at Zanzibar; the public buildings are equally good, especially the Palace of the Governor-General, once the Jesuit College of San Paulo, which may fairly claim to possess a certain amount of magnificence.

The heavy duties and obstructive fiscal arrangements of the Portuguese have almost annihilated trade, and until very lately no traffic but that of ivory and slaves was deemed worthy of attention. Thanks to the energetic measures of the British Government and its cruisers, and, I firmly believe, to the uprightness and loyalty of the present Governor-General, Colonel João Tavaréz de Almeida, the Slave Trade has greatly decreased, though the desire to participate in its unholy gains remains unabated.

It is difficult, especially for a British official, to obtain correct information on this point, but it is commonly believed that two European vessels have succeeded in obtaining cargoes during the past twelve or fourteen months, while small numbers of slaves are constantly taken away by dhows, touching at unfrequented parts of the coast. One Spanish vessel, the "*America*," is now supposed to be watching for an opportunity to obtain a cargo. I left her at Zanzibar; she had previously remained some weeks at Mozambique, and she appears to be spending time, under the pretext of legitimate trade, till her consorts arrive. She was carefully searched by the Governor-General, but no conclusive proof of her character was obtained.

I do not entertain a doubt that his Excellency is sincere in his desire to prevent this execrable traffic, but he meets with no support from his subordinates. In the Blue Book before quoted, there is a correspondence on the subject, and in one of his despatches (pp. 185—7) he indignantly denies that his subordinate officers are in any way concerned with it at the present day, whatever might have been the case formerly.

This despatch is dated 15th February, 1862, but in conversation with me his Excellency frankly admitted that had his information been as correct then as it is now, he would have modified his language considerably.

Slavery is sanctioned as a domestic institution, and I believe that, with the single exception of the Governor-General, there is not a man in the province who has a free servant. As the law now stands all slaves are to become free in 1878, but whether this will take effect without considerable exterior pressure is very doubtful.

My short residence at Mozambique does not enable me to speak authoritatively of the state of the domestic slaves. I was told that they are generally well treated; nevertheless I was forcibly struck with the difference between them and those at Zanzibar. The latter are the gayest and happiest class of the community, continually dancing and singing; for two days in the week they are allowed to work for themselves, and their manner is free and unconstrained. Here they never meet a European without making the deepest reverence: they address their masters with bated breath, and appear to stand in

the greatest awe of them. It is true that a master may not, by law, beat his slave, but he may send him to the police to be beaten, or he may sentence him to imprisonment with hard labour in irons, on the public works, without cause shown before any legal tribunal.

I left Mozambique on the 26th October, and arrived at Mayotta on the morning of the 1st November.

The labourers on the sugar estates are principally negroes, who are imported from the adjacent islands, and from Madagascar, as "free engagés." Whatever name may be given to the system by which these are procured it is simply and undisguisedly a phase of the Slave Trade.

Thus, a planter desirous of obtaining a supply of labourers applies to the Commandant Supérieur, who appoints a delegate (invariably a private soldier of the garrison) to accompany him, say to Mohilla; there the necessary number of slaves are purchased from Arab dealers; they are then liberated and bound to serve their new masters for periods of not less than three and not more than five years. The average price paid for the slaves is 35 dollars, and by the time they are landed at Mayotta as "free engagés," they cost about 40 dollars per head. Their master is bound to pay them $1\frac{1}{2}$ dollar per mensem as wages, and to allow them a weekly ration of 12 lbs. of rice, with a small quantity of salt and butter.

These negroes are usually, if not always, brought by Arabs from the mainland of Africa to the various islands, whence they are shipped to Mayotta; they are then *bond fide* slaves, and it is certain that their purchase by the French, even though by this fact they become transmuted into "free engagés," fosters and tends to perpetuate the Slave Trade. I do not propose any remedy for this; I merely state facts which no colonist at Mayotta will dispute.

I left Mayotta on the 3rd of November, and arrived at Pomone in Johanna on the following morning. During the passage we met a boat at sea containing seven "free engagés," who had fled from Mayotta in their master's boat; they were in great distress, and it seemed doubtful whether they could reach their destination. They were received on board the "Pleiad," and the boat was made over to Mr. Sunley, Her Majesty's Consul at Johanna, to be returned to its owner.

These men called themselves slaves, and had evidently failed to appreciate their altered condition as "free engagés;" they said they preferred death to returning, and as they were found on the high seas I did not feel myself called on to restore them, even had I possessed the power to do so.

Colonel Pelly has left me little to say regarding this island, but I cannot refrain from adding my testimony to his regarding the marvellous results which the skill and energy of Mr. Sunley have produced, and the humanizing effects on the population which have followed.

He has already 300 acres of land planted with sugar cane, which produce upwards of 300 tons of sugar per annum.

Unfortunately he has been compelled to employ slave labour, but in so mitigated a form as to rob it of all its horrors. The importation of slaves into the island has long ceased; it received a temporary stimulus from the "engagé" system, but that was of short continuance. The institution of domestic slavery of course prevails, and the climate of the island, unlike that of Zanzibar, Mozambique, &c., is so congenial to the African constitution that the births pretty nearly equalize the deaths; thus the supply of slave labour is perpetuated.

Mr. Sunley hires these domestic slaves from their owners, paying the latter $1\frac{1}{2}$ dollar per mensem, and a further allowance of from half a dollar to two dollars, together with food and clothing, is made to the slaves themselves. Out of the 230 men in his employment not more than 50 are free men.

Her Majesty's Government deemed it impossible that a British Consul could be permitted to employ slave labour in any form, and Mr. Sunley was given to understand that he must employ free men only or resign his Consulate. He had sunk all his capital in the enterprize in which he is engaged, and finding it impossible to continue it without the assistance of slave labour, he has accepted the latter alternative.

The loss to him is insignificant; his remuneration as Consul is only 150*l.* per annum, while his sugar plantation yields ten times that amount, but the loss to the public service will be far more serious.

Mr. Sunley's long residence here, and his sterling qualities, have given him an influence in the councils of the King and his Chiefs such as few Consuls succeed in obtaining; this has always been used for good, and the result is that the island, once noted for disaffection to its rulers, and for the intestine feuds amongst its Chiefs, has enjoyed uninterrupted tranquillity.

On the 9th of November, in company with Mr. Sunley, I steamed round to Mootscunoodoo, the capital, to pay my respects to the King. I was much pleased with his Highness, who appears to be a young man of considerable intelligence, and a fair English scholar.

I left Johanna on the morning of the 10th instant, and returned to Zanzibar on the 14th instant.

No. 95.

Lieutenant-Colonel Playfair to Earl Russell.—(Received March 15, 1864.)

My Lord,

Zanzibar, December 30, 1863.

WITH reference to my previous communications on the subject of Arab slave-vessels using the flag of France as a protection against our cruisers, I have the honour to report, for your Lordship's information, a case which has come to my knowledge, authenticated by evidence so satisfactory and complete as to prevent the possibility of mistake.

2. A large buggalow, named "*Dukeyikeh*," belonging to Saeed bin Thani, of Soor, with a French register and under French colours, sailed from the port of Keelwa about September last, with a cargo of nearly 300 slaves. She proceeded to Maculla, but the Nukeeb of that place would not allow her to land her cargo; she then went to Shehr, where she sold her slaves to great advantage. She returned to Maculla to get certain repairs executed, but the Nukeeb again refused to allow any slaver to enter his port, and she had in consequence to refit at Maidha, near Bunder Broom.

3. She has now returned to this coast and is at Lamoo, whence she will probably sail for Keelwa to embark another cargo of slaves for Arabia.

4. I have reported this case to the *gérant* of the French Consulate here, in order that he may have an opportunity of authenticating it, should he desire to do so.

I have, &c.

(Signed) R. L. PLAYFAIR.

No. 96.

Lieutenant-Colonel Playfair to Earl Russell.—(Received March 15.)

My Lord,

Zanzibar, January 4, 1864.

WITH reference to my letter dated 15th June last,* to the address of the Chief Secretary to Government, Bombay, I have the honour to forward, for your Lordship's information, translations of two notifications issued by his Highness Seyed Majid, one entirely prohibiting the transport of slaves during the season of exportation, from the 1st of January to the 1st of May, and the other forbidding householders to rent houses to the Northern Arabs, who come here for the purpose of kidnapping slaves.

I have, &c.

(Signed) R. L. PLAYFAIR.

Inclosure 1 in No. 96.

Notification.

(Translation.)

To all whom it may concern.

KNOW that we have ordained that no owners of boats shall transport slaves in their boats from any part of our dominions during the Moosum, from this date till the 250th day of Nowroz (*i.e.*, from January 1 till May 1). Whoever breaks this order shall have his property confiscated, and shall be considered deserving of punishment.

Dated 20 Rejub, 1280 (January 1, 1864).

(Signed) MAJID BIN SAEED.

* See Class B, presented 1864, Inclosure 4 in No. 94.

Inclosure 2 in No. 96.

Notification.

(Translation.)

To all whom it may concern.

WE have ordered all our subjects not to rent their houses to the people of the north employed in stealing slaves. Whoever shall so rent his house shall break our command, and shall be deserving of punishment.

Dated 20 Rejub, 1280 (January 1, 1864).

(Signed)

MAJID BIN SAEED.

No. 97.

Earl Russell to Lieutenant-Colonel Playfair.

(Extract.)

Foreign Office, March 14, 1864.

I HAVE received your despatch dated the 26th of August last, inclosing copies of despatches addressed by you to the Government of Bombay, on matters connected with the Slave Trade on the East Coast of Africa.

I think it right to make known to you the views of Her Majesty's Government on the several questions which form the subject of your reports.

I do not doubt that the Commanders of British cruisers will be considerably facilitated in the performance of the difficult and arduous duties which now devolve upon them by the altered policy of the Sultan in regard to the Slave Trade. I allude—

1st. To the energetic measures recently adopted by the Sultan against the Northern Arabs;

2ndly. To his having ordered that all his boats engaged in the *bonâ fide* transport of slaves from port to port in his dominions shall have a Custom-house manifest, stating the exact number on board, and his having permitted our cruisers to seize all boats contravening this order, or all in which a greater number are embarked than that specified in the manifest; and,

3rdly. To the fact reported in your despatch to the Bombay Government of the 15th of June last, that the Sultan has consented entirely to prohibit the transport of slaves, even from port to port in his dominions, during the months of January, February, March, and April, when the Northern Arabs visit the coasts of Zanzibar for the purpose of procuring slaves.

If these measures are carried out in good faith by the Sultan and his authorities, you need not, for the present, insist on His Highness' entering into a Treaty engagement with Her Majesty's Government to prohibit the transport of slaves coastwise from one portion of his dominions to another; but you will not lose sight of this subject, and you will, should an opportunity offer, endeavour to induce His Highness to embody this concession in the existing Treaty for the suppression of the Slave Trade.

The object which Her Majesty's Government had in view in instructing Colonel Pelly to propose this measure to the Sultan, was to put a stop to the export of slaves by the Northern Arabs from the territories of the Sultan, and from other portions of the Eastern Coast of Africa—a Traffic which was carried on to such an extent as almost to depopulate many most fertile districts, and which was connived at and assisted by the Sultan's authorities and subjects.

Her Majesty's Government do not claim the right to interfere in the status of domestic slavery in Zanzibar, nor with the *bonâ fide* transport of slaves from one portion of the Sultan's territory to another, so long as this latter traffic shall not be made a cloak to cover the foreign Slave Trade, which His Highness is bound by Treaty to prevent, and which Her Majesty's Government are also determined to suppress.

I have to instruct you to make known the views of Her Majesty's Government on this subject to the Sultan; and in doing so you will express to His Highness the gratification with which Her Majesty's Government have learnt the measures adopted by him against the Northern Arabs, as well as the determination come to by His Highness to prevent the transport of slaves from one part of his dominions to another during the time these Arabs frequent his coasts.

You will encourage His Highness to persist in the policy which he has recently adopted; and you will call upon the Commanders of Her Majesty's ships to co-operate with and assist the Sultan in carrying out his determination to put a stop to the piratical proceedings of these Northern Arabs. You will assure the Sultan that there is no inten-

tion whatever on the part of Her Majesty's Government to interfere with the legitimate trade of his country; but that, on the contrary, they desire to afford it every encouragement, and will rejoice to see in it a source of wealth and prosperity to his subjects.

In conclusion I have to state, with reference to your despatch to the Bombay Government of the 25th of August last, that I approve the line of conduct pursued by you and by the Commander of Her Majesty's ship "Orestes," in having declined to deliver up to the Sultan certain slaves which had been kidnapped by the piratical Arabs from the subjects of the Sultan in Zanzibar, and which were subsequently captured by one of Her Majesty's cruisers in a slave-vessel; and, as a rule, you will continue to adopt this course.

There may, however, be exceptions to this rule. For instance, the Commander of one of Her Majesty's cruisers might be called upon to assist the Sultan's authorities in searching or detaining the vessels of these piratical Arabs within the harbour of Zanzibar, and under such circumstances it might be right and good policy to leave the Sultan's authority to deal with the slaves found on board these vessels.

The decision in such cases may, however, I think, be with safety left to your discretion and that of the naval officer concerned in the seizure.

No. 98.

Earl Russell to Lieutenant-Colonel Playfair.

Sir,

Foreign Office, March 21, 1864.

I HAVE received your despatch of the 4th of January last, inclosing translations of two Orders issued by the Sultan of Zanzibar, one prohibiting the transport of slaves by boats from one part of his dominions to the other between the 1st of January and 1st of May, and the other prohibiting his subjects from letting their houses to the Northern Arabs, who come down to Zanzibar for the purpose of kidnapping or purchasing slaves; and I have to instruct you to express to the Sultan the satisfaction of Her Majesty's Government at the issue of these Orders.

I am, &c.
(Signed) RUSSELL.

No. 99.

Lieutenant-Colonel Playfair to Earl Russell.—(Received April 13.)

My Lord,

Zanzibar, February 3, 1864.

I HAVE the honour to inclose, for your Lordship's information, copy of my despatch of this date to the Government of Bombay.

I have, &c.
(Signed) R. L. PLAYFAIR.

Inclosure in No. 99.

Lieutenant-Colonel Playfair to the Officiating Secretary to the Government of Bombay.

Sir,

Zanzibar, February 3, 1864.

SINCE the recent order of his Highness prohibiting the transport of slaves during the northerly monsoon, the aspect of Zanzibar has become quite altered; slave-vessels which formerly passed daily under my windows are now never seen, the slave-market is almost empty, and the piratical northern Arabs, who used almost to take possession of the town at this season, are few in number, and as far as I can learn quiet in demeanour.

2. I have heard of only one attempt to evade the new law. On the 13th ultimo a Soorie dhow anchored outside the shipping for the purpose of taking in a cargo of slaves; in the first boat the owner of the slaves with two Arab companions and seven slaves embarked, but owing either to the swell or to some disturbance on board the boat sank and two of the Arabs perished. Three of ten slaves were found dead next morning, two others came safely to land, and there is every reason to believe that the remainder also were drowned, though their bodies have not been found.

3. The nacoda has escaped, but his Highness has confiscated the dhow.

I have, &c.
(Signed) R. L. PLAYFAIR.

No. 100.

Lieutenant-Colonel Playfair to Earl Russell.—(Received June 11.)

My Lord,

Zanzibar, April 11, 1864.

I HAVE the honour to forward, for your information, a copy of my despatch dated the 9th instant to the Government of Bombay.

I have, &c.

(Signed)

R. L. PLAYFAIR.

Inclosure in No. 100.

Lieutenant-Colonel Playfair to the Officiating Secretary to the Government of Bombay.

(Extract.)

Zanzibar, April 9, 1864.

I HAD long proposed to myself a visit to the Wanika country, in the vicinity of of Mombassa, where our missionaries are settled, in the hope that my presence amongst them would strengthen their hands in their dealings with the provincial authorities of His Highness Seyed Majid, and with a view to make myself more intimately acquainted with the extensive district under my political control. During the first two months of this year illness prevented my leaving Zanzibar, and after my recovery the "Pleiad" was absent at Seychelles; I was therefore very glad to accept the kind offer of Captain Gardner to convey me to Mombassa in the frigate under his command.

2. We left Zanzibar in Her Majesty's ship "Orestes" on the 25th ultimo, and anchored at Mombassa on the morning of the 28th idem. The University Mission to the Zambesi, under Bishop Tozer, has lately been broken up, and I found two members of it, the Rev. C. Allington and Mr. Drayton, on board. I invited these gentlemen to accompany me. We landed shortly after our arrival, and took up our residence in Seyed Majid's house, which had been placed at my disposal. The "Orestes" then proceeded to sea, to cruise about for the suppression of the Slave Trade, and Captain Gardner promised to call for me in a week.

3. I need hardly describe a place so well known as Mombassa. It has the usual Arab characteristics of ruin, neglect, and filth in a striking degree. The only object of interest is an extensive fort, built in 1596 by the Portuguese, and restored by them in 1635, as an inscription over the principal gateway, headed by the Christian monogram "I. H. S.," informs us.

4. On the morning of the 30th ultimo we started for Kisulidino, in the Rabbai district, the station of the Rev. Mr. Rebmann, of the Church Missionary Society. We proceeded up a remarkable "khore," or inlet, which has all the appearance of a winding river, bordered by impenetrable belts of mangrove trees. After sailing three hours we left our boats and proceeded by land a further distance of two hours through a hilly country, now parched and burnt up by four months of continuous dry weather, but which after rain must be exceedingly beautiful.

5. Mr. Rebmann's Station is situated on a hill about 800 feet above the sea, and commands a fine view of the plain below and of the undulating district to the west. I need hardly say that we were most hospitably entertained by that gentleman and his wife, the former of whom for eighteen years, and the latter for twelve years, have laboured to propagate the Gospel of Christ amongst the heathen Wanika.

6. I have some hesitation in reporting on the result of the teaching of these devoted missionaries. I confess it appeared to me disappointing; but they have had to contend against a series of difficulties under which many would have succumbed. The mission station consists of several well-built and commodious houses, but all in a state of semi-completion. Six converts have been baptized, and about as many more are under tuition. Owing, however, to his being without a fellow-labourer, Mr. Rebmann has been obliged to give up regular tuition for some time past, and is now devoting himself to completing the mission buildings.

7. I cannot better describe the difficulties with which Mr. Rebmann has had to contend than by quoting his own words, in a letter to my address:—

"When we last saw you at Aden, several years ago, we were just passing through the darkest part of the East African Mission. It seemed as if we had come too early to this part of the world, and the people were unprepared either to understand or appreciate our message. Nothing seemed comprehensible or credible to them but that we must have come to regain possession of the old castle at Mombas, which they knew had been built by

the Wasunga. But soon after the crisis came. The late Imaum died on the 19th of October, 1856, and Colonel Hamerton, in consequence, no more considered it safe for us to remain: and as if his voice had not been loud enough to call us away from a people who had no wants beyond their cattle and their to-day, a member of the Committee of our Society, the late Admiral Trotter, was to come just at the right moment, and he not only urged our immediate departure, but offered to take us at once to the Cape in his own ship. We quitted the place, which, after all, had become very dear to us, on the 22nd of January, 1857. Scarcely had we quitted the place when the terrible hordes of the Masai overran the whole country down to the sea-shore, killing whomsoever they found in their way, and carrying off in one day all the cattle of the Rabbai territory. Thus our poor deluded people, who to abject ignorance had added arrogance and cattle-pride, were now deeply humbled, and herein I even then saw a star of hope for them, and I was not deceived. We were, however, first to go to Zanzibar, where we would await further instructions from home. After a stay of about half-a-year we intended to leave for Europe; and thus, to human eyes, the East African Mission seemed to have come to an end. But there was soon to be a better resurrection. I had taken with me the only Wanika who had attended on our regular instructions and had learnt to read; in September he went home to look after his family, and on Christmas day he came back again, bringing with him a new convert and the cheering statement that others only waited our return, when they would become Christians. In the year following I paid another visit to the place, and the sight of a little band of converts, as well as the general joyous welcome I received, left no doubt in my mind that, instead of going back to Europe, we must first come back to a people who had learnt to appreciate what before they had treated with contempt. In April 1859 we returned again. The house at our station was then still standing, but the rainy season, which had set in, kept us at Mombas, where at the same time I had to repair our town-house, which during our absence had been used by the Government for a garrison of Arab soldiers, who of course left it in a very deplorable condition. The rainy season was a very severe one, and caused another misfortune in the downfall of our house at Kisalidini. One small portion, though dilapidated, was still standing, over which a temporary roof was made in the native style; but the repairs and alterations to our house at Mombas prevented us from returning to the place until the end of October, 1859. When, therefore, the Baron von der Decken arrived, on the 24th of February, 1861, we had not yet completed one year at the station; and when, towards the end of that year, we were visited by Colonel Pelly, we had been there only fifteen months. Though I had been hard at work during all that time in the reconstruction of a fallen house, still the whole compound, with a dilapidated remnant of the old house, some temporary miserable huts, the walls of a new house raised breast-high, but scarcely visible because roofed over for the time with palm-leaves, presented an aspect which was anything but pleasing or inviting; and thus it came to pass that an evil report went abroad about my station having been found in a state of decay and neglect. The gentlemen who had seen the place could only think of the many years I had been in the country, and explanations given in hasty conversation went for nothing.

"But, it may be objected, much can be done in the way of building in fifteen months; this is true on the coast, but not half a day's journey inland. For a considerable time I could not build for want of water; so, to secure a proper supply, I had first to dig reservoirs: stones had to be quarried, and the lime had to be carried on men's heads a distance of about five miles from the landing place: all this required much more time. The charge of neglect thus falls to the ground; and as to decay there was none, it was simply a remnant of the fallen down house. In fact, when we came back from Zanzibar, after an absence of two years, it was little better than if we had but just arrived from England for the first time, and the many years I had been previously in the country were no more to be taken into account, except for the experience I had gained. Since then my principal time and strength have been spent in building business; and alas, up to this day I cannot say it is finished."

8. From Rabbai we proceeded to Ribé (distant ten or twelve miles) where our mission was established two years ago by the United Free Methodist churches. Dr. Krapff, to whom its formation had been intrusted, brought out two English and two German companions; the latter were found quite useless and were sent home again, one of the Englishmen was compelled to leave from bad health, and for a year Mr. Wakefield remained alone at his post. He was joined a year ago by Mr. New, who came in the "Pleiad" from Bombay, and in February of this year Mr. Butterworth, a young man of the highest promise, arrived from England. We found this gentleman suffering from a severe attack of fever, aggravated by his refusal to take quinine, or any but homœopathic remedies; it was

at once apparent to us that his recovery was hopeless, and he expired on the 2nd of April, and was buried on the following morning close to the Mission Station.

9. The members of this Mission have suffered greatly from fever, nevertheless their time has been well employed, a comfortable iron house has been erected with sufficient accommodation of a temporary nature for their servants, and four or five acres of ground have been cleared of jungle and prepared for cultivation as soon as the rains shall commence. They have not indeed done much in the way of tuition ; that could hardly be expected at first, but I have strong hopes that the fruits of their work will soon become apparent.

10. We returned to Mombassa on the night of the 3rd instant by a route very similar to that by which we reached Rabbai.

11. Mr. Rebmann, whose long residence amongst the Wanika has made him thoroughly acquainted with their language and character, gave me much information regarding this interesting people.

12. They appear very fair specimens of the East African race ; they want the fine features and bold and restless character of the Somalie, but they are equally without the air of stolid indifference and stupidity which marks the Lowahilie of the coast. Their countenances are bright and pleasant, they are good-tempered, hospitable to strangers, and easily led in matters which do not militate against their tribal customs, by which they are governed as with a rod of iron.

13. Both sexes go naked from the waist upwards, and adorn their arms, necks, and legs with beads, and coils of brass wire to an extent which appears only limited by their finances. The males carry bows and poisoned arrows, a short club, and sometimes a rude sword resembling a spear head. They shave half the head from the forehead upwards, and wear the hair on the remainder in long plaits or twists, which are frequently strung with beads, or the bright red seeds of the *Erythrina Indica*.

14. The marriage bond is but a slight one, and continency is hardly known. Children are betrothed at an early age, and marriage takes place as soon after puberty as the father of the bridegroom is able to pay the few dollars which constitute the dowry ; this, however, is given to the bride's family, and she has no share therein. In case of divorce, which is frequent, the dowry is reclaimed, but it is not paid till the girl has found another husband. The children belong not to the parents, but to the mother's eldest brother, who not unfrequently sells them into slavery in times of scarcity.

15. Famine is of frequent occurrence, as the Wanika are extremely improvident, and almost too indolent to cultivate the small quantity of cassava and Indian corn necessary for their subsistence. Palm wine is their great luxury, and so long as they can sit lazily in the shade sucking this through a reed they ask for no higher enjoyment.

16. They recognise, though they hardly worship, a God ; he is regarded as a being to be feared and propitiated : but the most potent agents are the Comas, or shades of their ancestors, who are appealed to on failure of rain, or in cases of sickness, when offerings of palm wine and corn are placed on their graves. They believe that the mists which gather on the mountain tops are the fires of the Comas who constantly hover round their former habitations. This clearly proves that they understand the immortality of the soul, though they have no idea of a future state of rewards and punishments.

17. The rite of circumcision is universally practised, and each important event in their lives, such as the planting of seed, or reaping the harvest, is marked by its distinctive ceremony. No Wanika may engage in any handicraft, and they are entirely dependent on Mombassa for the simplest instruments of husbandry, pottery, cutlery, &c.

18. The males are divided into three orders ;

1st. "M'fia," or elders ;

2ndly. "Kámí," or intermediate order ; and

3rdly. "N'Yairé," or youth.

Admission is obtained into the superior grades by constant payments or offerings of palm wine, and the performance of certain ceremonies.

19. Those appointed for the admission of youth into the superior order, "Kámí," only occur about once in a generation, namely, when all the previously appointed Kámí have been absorbed into the rank of elder ; thus one frequently observes middle-aged men classed as youth.

20. On a fixed day the youth are all assembled in a certain place, whence the clay with which their bodies are to be smeared is to be taken ; a fire is lighted and a sacrifice offered. At a signal the youth rush to the fire and extinguish it with their naked feet, and each seizes a lump of clay. All this time they are beaten by the men of the Kámí or second order, with the palms of their hands ; they then cover their bodies with clay, and in this state, entirely divested of clothing, they are required to pass eight days in the forest. They then apply a second coating of clay taken from any place they please, and pass

another week in the same manner as the first. During all this time decency is laid aside, and the utmost license prevails. At the close of the second week they return to their homes and assume their usual avocations, but they still continue the application of clay till the order is given for the concluding and most horrible part of the ceremony.

21. This consists in some one of the candidates killing a man. He must not belong to their tribe, but must be a person of some consideration in another one; the murder of a poor slave will by no means be accepted. The particulars are kept a profound secret; the novices simply inform the elders that the victim has been slain, whereupon the former wash their bodies, shave their heads, and the ceremony of initiation is completed.

22. Promotion from the second to the highest order is performed gradually, as the aspirants are able to pay the prescribed offerings. These consist of an unlimited quantity of palm wine given to the elders during a series of years; and, finally, two goats, thirty measures of rice, and twenty-four fowls. While these are being presented, the *muanza*, or sacred horn—at other times carefully concealed in the forest—is played in such a manner as to make the sound emitted resemble the word “M-bo-see” (a goat). The rice is then put into three large pots kept for the express purpose, and to each pot eight fowls are added; this mess, with the goats, is eaten by the elders.

23. The *Kámbí*, or middle order, is divided into four classes. The first consists of the eight eldest men, who are called “people of the hair,” and have the privilege of selecting the prime pieces when an animal is killed. The second and third sections also consist of eight men each, next in age; while the fourth includes the remainder.

24. On the day fixed for the initiation of the *Kámbí* into the rank of elders, they assemble in the village, while the elders meet in one of their sacred places, disposed in two ranks so as to form a street. Each man is armed with a switch, and the candidates are brought two at a time and made to pass along the street, and receive a cut with the cane from each elder as they pass him. The sacred horn is then exhibited, and this terminates the ceremony, which is repeated from time to time till the whole of the *Kámbí* have become elders.

25. The whole power lies in the hands of the elders; and though each tribe of the *Wanika* has an hereditary Chief, his authority is merely nominal.

26. The *muganga*, or soothsayer, plays an important part amongst the *Wanika*. He is consulted when one is suspected of having bewitched another. The relatives of the person afflicted, together with a near relative of the suspected culprit, and two men of the tribe as impartial witnesses, meet the *muganga*, who must belong to a different tribe, and be unacquainted with the circumstances of the case.

27. This, however, is a mere farce, as the inquirers have already fixed on an obnoxious individual, and they only want some kind of sanction in order to justify their intended murder to themselves and others.

28. The soothsayer places himself before a wooden bowl, made for the purpose, with legs; water is thrown into it, and castor-oil beans are thrown into the water, while the operator holds in his hand the tail of a giraffe; with this he strikes the water, causing the beans to revolve in it, and fixing his eyes on them as if reading a book, gives a description of the desired person. He then makes the listeners retire, and considers whether the description he has given tallies with that of the person whom they suspect; and as there is never any difficulty on this point, the soothsayer, after a little more incantation, walks up to the son or near relative of the intended victim, and strikes him with the tail.

29. The party then retires, keeping profound silence regarding the victim. A feast is shortly afterwards given; and when the victim has been made drunk with palm oil, he is seized and strangled.

30. Sometimes one who is supposed to be a sorcerer of the worst kind is buried alive, the grave being dug before his eyes, and taunts of every kind being addressed to him while the work is being carried on.

31. The punishment of death is rarely inflicted for other offences, but fines are levied on every conceivable pretext; in fact, the ultimate object of all their ceremonies and laws appears to be to induce the lower orders to give as much as much as possible to the elders.

32. The “*Orestes*” returned to Mombassa on the afternoon of Tuesday, the 5th ultimo, and on the following morning she put to sea. We spent one day (the eighth) at Pemba, and returned to Zanzibar this day.

No. 101.

Lieutenant-Colonel Playfair to Earl Russell.—(Received June 11.)

My Lord,

Zanzibar, April 16, 1864.

REFERRING to my letter dated the 4th of January last, reporting that His Highness Seyed Majid had prohibited the transport of slaves from port to port in his dominions during the season of the monsoon, I have the honour to report that His Highness, two days after the order was issued, wrote me a letter in which he requested that dhows captured on the strength of this order should be brought to Zanzibar, or to the nearest port in his dominions, for his disposal.

2. The first seizure made in accordance with this concession occurred on the 23rd of March, when Her Majesty's ship "Penguin" captured a dhow belonging to a naturalized subject of His Highness, with 8 slaves on board, within the limits recognized by the Treaty. It was clear that these slaves were not intended for exportation, but were being conveyed to Mombassa and Melinda, where their owners reside. Therefore the seizure could not have been made under the Treaty alone, which permits the transport of slaves from port to port in His Highness' dominions.

3. His Highness readily admitted the justice of the capture; the boat and slaves were made over to him, and the former was immediately burnt in the harbour, but a question arose regarding the disposal of the slaves.

4. I suggested that they should be liberated at Zanzibar; but His Highness, in reply to my request, stated, "It is a difficult matter for me to liberate them: firstly, because it is not lawful by our religion for one to free the (slaves) belonging to another; secondly, if they are domesticated slaves, they will become theirs in the place, and cause much inconvenience; and thirdly, if they be newly-imported slaves, and are allowed to go about their business, they will probably be stolen. For these reasons we do not deem it expedient to free them."

5. His Highness proposes confiscating such slaves; and as he is under no Treaty obligation to the contrary, I cannot insist on their liberation, but refer the case to the consideration of Her Majesty's Government.

I have, &c.
(Signed) R. L. PLAYFAIR.

No. 102.

Lieutenant-Colonel Playfair to Earl Russell.—(Received June 11.)

(Extract.)

"Pleiad," April 26, 1864.

ABOUT a month ago (I cannot specify the date with precision) a dhow arrived at Keelwa, and one night, in defiance of His Highness Seyed Majid's prohibition, commenced to embark a cargo of slaves at a place somewhat removed from observation.

2. As soon as His Highness' authorities heard what was going on, a party of soldiers was sent to the spot; on their appearance the crew of the dhow fled on board, leaving 60 of the slaves whom they were embarking on shore. The soldiers got another boat and proceeded on board the dhow, but as soon as their intention was perceived the crew fled in their boat to the shore, leaving 10 or 15 slaves on board. They never subsequently returned to claim their vessel.

3. On searching this boat the Governor of Keelwa found a French flag on board, and fearing lest it might have French papers also, he referred to Seyed Majid for instructions as to what was to be done with it. His Highness communicated verbally with the Gérant of the French Consulate, but could get no definite reply from him as to whether the boat was a French one or not; he accordingly ordered the Governor of Keelwa to send it to Zanzibar.

4. On its arrival His Highness wrote the following letter to the Gérant of the Consulate:—

"(After compliments.) The boat which we previously mentioned as having been engaged in embarking slaves at Keelwa, which had on board a French flag, has now arrived at Zanzibar; its owner has fled. God knows if it has a (French) register or not. We request you to inform us of your opinion of the case.

"Peace, &c."

5. The Gérant's reply was as follows:—

"Regarding what you mentioned about the dhow, we are unable to say whether it be French or not: if it happen not to be French, we have nothing to do with it; if it be French, then according to the Treaty you have no power to search French houses, or ships, or boats under the French flag. If it should appear that this boat is a French one, I shall be compelled to haul down my flag, and after that His Majesty the Emperor may do what he pleases."

"Peace, &c., from Jablonski, Consul of France."

6. The above letters are translated from the original Arabic in which they were written.

7. It subsequently appeared that the boat in question was one of the numerous slave-traders which have lately got French papers at Nosse Bé, in order to secure themselves against search and capture by our cruisers. She had received a French register, but having failed to renew it on the expiration of the term for which it had been granted, she was no longer considered as sailing under French colours, and the Gérant of the Consulate was not therefore required to carry his threat into execution.

No. 103.

Lieutenant-Colonel Playfair to Earl Russell.—(Received June 11.)

(Extract.)

Seychelles, May 10, 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's letter, dated 14th March last.

I think it would be well to have another year's experience of the new regulations prohibiting the transport of slaves during the monsoon, before asking His Highness to embody it in the Treaty, as I presume that by that time some steps will be taken to carry out the suggestion which I, in common with all others who have studied the question, have made, that a naval force be stationed between Guardafui and Socotra, to intercept slavers on their way to the Arabian coast; we shall then be in a better position to judge whether the concession will suffice to restrain the Slave Trade within due limits.

NETHERLANDS.

No. 104.

Mr. Ward to Earl Russell.—(Received February 9.)

My Lord,

The Hague, February 8, 1864.

WITH reference to my despatch of the 24th of November, 1863, I have the honour to transmit to your Lordship a copy of a note addressed to me by M. de Kattendyke, making a fresh application for the documents necessary for prosecuting the criminal proceedings instituted against Captain Prince, of the "*Jane*," condemned at Sierra Leone for slave-trading.

I have, &c.

(Signed) WILLIAM R. WARD.

Inclosure in No. 104.

*M. de Kattendyke to Mr. Ward.**La Haye, le 5 Février, 1864.*

LE Soussigné, Ministre de la Marine, Ministre des Affaires Etrangères par interim, a l'honneur de porter à la connaissance de Mr. Ward, Chargé d'Affaires de Sa Majesté Britannique, que d'après les informations transmises au Département des Colonies par M. le Gouverneur de Curaçao, la procédure criminelle contre le Sieur Prince, ancien capitaine du navire "*Jane*," continue d'être retardée par suite de l'absence des pièces originales qui ont donné lieu dans le temps à la confiscation du navire précité par la Cour de Justice à Sierra Leone, et qui ont été demandées par le Département des Affaires Etrangères dans la note adressée sous la date du 20 Novembre, 1863, à Sir John Ralph Milbanke.

Or, comme il est à désirer dans l'intérêt de la justice qu'une décision judiciaire intervienne finalement dans cette affaire, le Soussigné prend la liberté de prier Mr. Ward de vouloir demander à son Gouvernement si celui des Pays Bas peut espérer d'obtenir les documents mentionnés à la fin de la dite note du 20 Novembre, et si en ce cas ils pourraient être envoyés sans retard à la Haye, afin de pouvoir être transmis alors aussi promptement que possible aux Indes.

Le Soussigné, &c.

(Signé)

W. H. KATTENDYKE.

No. 105.

Earl Russell to Mr. Ward.

Sir,

Foreign Office, February 10, 1864.

WITH reference to your despatch of the 8th instant, I have to acquaint you that, upon the receipt of your despatch of the 24th of November last, I instructed Her Majesty's Judge at Sierra Leone to forward to this country the original documents in the case of the Netherlands barque "*Jane*," condemned for being engaged in the Slave Trade. You will state to the Netherlands Minister for Foreign Affairs that sufficient time has not yet elapsed for the papers in question to reach this country; but that as soon as the documents are received Her Majesty's Government will lose no time in forwarding them to the Hague for the use of the Netherlands Government.

I am, &c.

(Signed)

RUSSELL.]

No. 106.

Earl Russell to Mr. Ward.

Sir,

Foreign Office, February 11, 1864.

SINCE writing my despatch of the 10th instant I have received, by the African mail-packet which arrived at Liverpool on the 11th instant, the original documents relating to the case of the Netherlands barque "*Jane*," condemned in the British and Netherlands Mixed Commission Court for being engaged in the Slave Trade, and I herewith transmit to you the papers in question for communication to the Netherlands Government.

I am, &c.

(Signed) RUSSELL.

No. 107.

Mr. Ward to Earl Russell.—(Received February 26.)

My Lord,

The Hague, February 22, 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's despatches of the 10th and 11th instant, together with the original papers from the Court at Sierra Leone respecting the case of the "*Jane*," condemned for slave-trading. These papers I have transmitted to the Minister for Foreign Affairs, according to your Lordship's instructions, as will appear from his Excellency's answer to my note, a copy of which is inclosed herewith.

I have, &c.

(Signed) WILLIAM R. WARD.

Inclosure in No. 107.

*M. de Kattendyke to Mr. Ward.**La Haye, le 18 Février, 1864.*

LE Soussigné, Ministre de la Marine, Ministre des Affaires Etrangères par interim, a l'honneur d'accuser la réception de la note que Mr. Ward, Chargé d'Affaires de Sa Majesté Britannique, lui a adressé sous la date du 15 de ce mois, accompagnant le dossier des pièces judiciaires relatives à la procédure criminelle contre le Sieur Prince, ancien capitaine du navire "*Jane*."

En remerciant Mr. Ward de l'envoi de ces documents, qui ont été transmis au Département des Colonies, le Soussigné, &c.

(Signé) W. H. KATTENDYKE.

No. 108.

Earl Russell to Mr. Ward.

Sir,

Foreign Office, April 2, 1864.

I TRANSMIT to you herewith copies of two letters from Commodore Wilmot,* the officer in command of Her Majesty's naval forces on the West Coast of Africa, representing that the Netherlands authorities at Elmina are in the habit of purchasing slaves from the King of Ashantee, with the view to their being subsequently incorporated as soldiers in the Netherlands forces in the East and West Indies.

You will see that Her Majesty's Government did not at first give credit to the reports received by Commodore Wilmot on this subject, but that officer having in a second letter confirmed his first representations, I think it right that you should bring the matter to the notice of the Netherlands Government.

If slaves are purchased from the native African Chiefs, whether by the agents of European Governments with the view to their being drilled as soldiers, or for the purpose of their being transported as free labourers to foreign Colonies, or if they are purchased by the slave-dealers to lead a life of slavery on the Cuban plantations, the result is the same—the native Chiefs receive the price of their slaves, the Traffic is encouraged, and with it

* See Class A, 1863, No. 199; and Class A, 1864, No. 157.

the desolating wars that are carried on by the Chiefs for the purpose of procuring captives.

You will not disguise from the Netherlands Government the views of Her Majesty's Government on this subject, and I trust that the explanations with which the Netherlands Minister may be enabled to furnish you will be satisfactory.

I am, &c.
(Signed) RUSSELL.

No. 109.

Mr. Ward to Earl Russell.—(Received April 8.)

(Extract.)

The Hague, April 6, 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 2nd instant.

With reference to the information transmitted by Commodore Wilmot concerning the operations of the Netherlands authorities at Elmina in purchasing slaves from the King of Ashantee for the purpose of recruiting their colonial armies, I have addressed a note to the Minister of Foreign Affairs, of which a copy is inclosed.

Inclosure in No. 109.

Mr. Ward to M. Cremers.

The Hague, April 6, 1864.

HER Britannic Majesty's Government received information in the course of last year from the officer in command of the naval forces on the West Coast of Africa, that the Netherlands authorities at Elmina were in the habit of purchasing slaves from the King of Ashantee, with the view of their being subsequently incorporated as soldiers in the Netherlands forces in the East and West Indies.

They did not at first give credit to the reports thus communicated to them, and directed that further inquiries should be made on the subject. The Commander of the squadron cruising on the West Coast of Africa having, however, in a second report confirmed his first representation, Her Majesty's Government have thought it right to instruct the Undersigned, &c., to bring the matter to the notice of the Government of the Netherlands. He has accordingly the honour to request that his Excellency M. Cremers, &c., &c., will cause an inquiry to be made respecting this allegation; and he trusts that the explanations with which his Excellency may be enabled to furnish him will prove satisfactory to Her Majesty's Government.

It is obvious that if slaves are purchased from the native African Chiefs, whether by the Agents of European Governments with a view to their being drilled as soldiers, or for the purpose of their being transported as free labourers to foreign Colonies, or if they are purchased by the slave-dealers to lead a life of slavery on the Cuban plantations, the result is the same; the native Chiefs receive the price of their slaves, the Traffic is encouraged, and with it the desolating wars that are carried on by the Chiefs for the purpose of procuring captives.

In thus communicating the views of Her Majesty's Government to M. Cremers, the Undersigned, &c.

(Signed) W. R. WARD.

No. 110.

Sir J. Milbanke to Earl Russell.—(Received June 6.)

My Lord,

The Hague, June 1, 1864.

I HAVE the honour to inclose herewith copy of a note in which the Netherlands Minister for Foreign Affairs returns to me the papers relative to the criminal proceedings against Captain Prince of the slaver "*Jane*," which were transmitted to Mr. Ward in your Lordship's despatch of the 11th of February, and requests that the signatures of the

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Registrar, Wm. Smith, affixed to the declarations of the witnesses, may be each separately and properly legalized.

These documents, it seems, have already been sent back from Curaçao, at the instigation of the Netherlands Law Officers there, as wanting in this indispensable formality.

I have, &c.
(Signed) J. R. MILBANKE.

Inclosure 1 in No. 110.

M. Cremers to Sir J. Milbanke

La Haye, le 26 Mai, 1864.

LE Soussigné, Ministre des Affaires Etrangères, a l'honneur de porter à la connaissance de Sir John Milbanke, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Britannique, que le Département des Colonies a transmis au Gouverneur de Curaçao le dossier des pièces relatives à la procédure criminelle contre le Sieur Prince, ancien capitaine du navire "*Jane*," dont le Soussigné a accusé la réception à Mr. Ward par sa note du 18 Février dernier.

Les dites pièces viennent d'être renvoyées au Département susmentionné à la demande du Procureur du Roi à Curaçao, qui a fait observer au Gouverneur de la Colonie que la signature de M. le Greffier (Registrar) W. Smith, apposée aux déclarations des témoins et des experts, n'a pas été légalisée et que cette formalité lui paraît néanmoins indispensable.

Pour satisfaire au désir exprimé par le Département des Colonies, le Soussigné se permet dès-lors de faire parvenir à Sir John Milbanke les documents mentionnés sur la liste également ci-annexée, avec prière de vouloir munir chacune de ces pièces de la légalisation nécessaire et de les lui renvoyer dans le plus bref délai possible.

La signature de Mr. Smith a été légalisée par Mr. Ward sur l'Arrêt de la Cour Mixte de Sierra Leone, dont la copie est ci-annexée, afin de pouvoir au besoin être comparée.

Le Soussigné, &c.

(Signé) E. CREMERS.

Inclosure 2 in No. 110.

List of Papers requiring Legalization.

THE same legalization as at the foot of the Judgment of the Mixed Court, is requested for the following pieces, viz. :—

At No. 1 of the preceding list, the signature, if possible, of Sholto Douglas, Esquire, B and C.

The signature of Wm. Smith, Registrar, on the affidavit of seizure.

At No. 2, at 1a, the same signature of Mr. Wm. Smith.

At No. 3, ditto.

At No. 4, ditto.

At No. 5, ditto.

At No. 6, ditto.

At No. 7, ditto.

At No. 8, at 1a, the same signature of Mr. Wm. Smith, for the affidavit of B. A. Prince.

At No. 9, the signature of Mr. Wm. Smith for the affidavit of R. Smith and Wm. Paterson.

At No. 10, at 1re, the same signature for the affidavits of B. A. Prince, J. R. Mellon, and R. Gonzalez.

At No. 11, the same signature for the affidavits of Lieutenant Murray and Mr. Th. Pike.

No. 111.

Earl Russell to Sir J. Milbanke.

Sir,

Foreign Office, June 17, 1864.

WITH reference to your despatch of the 1st instant, I return to you herewith, for transmission to the Netherlands Government, the papers relating to the criminal proceedings against the captain of the slaver "*Jane*," with the signatures of the Registrar of the Mixed Commission Court at Sierra Leone and of Commander Wildman of Her Majesty's ship "*Espoir*," legalized as requested by the Netherlands Minister in his note to you of the 26th ultimo.

I am, &c.
(Signed) RUSSELL.

No. 112.

Sir J. Milbanke to Earl Russell.—(Received November 4.)

My Lord

The Hague, November 2, 1864.

I HAVE the honour to inclose herewith an abstract, made by Mr. Ward, of an official Report of the Governor of the Colony of Surinam, relative to the working of the Law of 1862 for the emancipation of the slaves in that possession, which he states to be, upon the whole, satisfactory.

I have, &c.
(Signed) J. R. MILBANKE.

Inclosure in No. 112.

Abstract of Report.

THE Law (of August 8, 1862) for the abolition of slavery was published in the Colony of Surinam on the 4th of October, 1862. At the same time a proclamation was addressed to the slave population—a translation into negro-English being furnished to them gratis—calling upon them to show themselves grateful for the boon of emancipation by good behaviour and industry. The law was received on their part without any extravagant manifestations of joy; and although at the end of 1862 some rioting took place in six or seven plantations, order was in general maintained. The slaves on some plantations, as well as some of the town slaves, testified to the Governor their acknowledgments, requesting him to make them known to His Majesty, promising at the same time to conduct themselves in an orderly manner, industriously and obediently.

Regulations for fixing and discharging the amount of compensation due to slave-owners were drawn up and published on the 5th of March, 1863; and in pursuance of them, notwithstanding the difficulty arising from the small number of persons qualified to compose the Committees of Investigation, the verification required by law was completed at the end of the month. The slaves deceased before the period of verification were not included in the Returns for compensation; but the Court of Justice has decided, by Judgment given on the 27th of August, 1863, that compensation is due by the Government for slaves deceased subsequent to the date of delivering the lists required by Article 5 of the Law, and prior to their verification.

The number of slaves returned for compensation was—plantation slaves, 26,825, at 300 florins per head—8,047,500 florins; and 6,086 domestic slaves, of whom 6,063, at 300 florins, and 23 on the ground of vested rights of manumission, at 60 florins each; together 1,820,280 florins. Thus, for 32,911 slaves (not including 649 Government slaves) a sum of 9,867,780 florins was due as compensation. Some reduction was effected in consequence of manumissions made between the date of making up the lists and the 1st of July of 32 slaves at 300 florins and 7 at 60 florins, so that the whole sum due for compensation was 9,857,760 florins, leaving a balance disposable of 342,240 florins on the 10,200,000 borne on the estimates to meet that charge. Up to the end of December 1863 5,757,581 florins 78 cents was paid off, namely, 1,650,114 florins 53 cents in cash and 4,107,467 florins 25 cents in bills. Most of the parties interested having preferred payment in bills, a large proportion of the cash remitted for the purpose (5,000,000 florins) remains disposable.

Four extraordinary judicial officers have been sent out in consequence of the increase of business arising from claims made upon this compensation money allotted to some slave-owners on account of third parties, as well as of demands made upon the Government by slave-owners whose evidence of property was not adjudged to be sufficient.

The regulations pursuant to Royal decrees respecting immigration and the establishment of agricultural labourers in the colony have been unproductive of any results—1st, because foreign Governments, with the exception of China, have failed to assign ports for the embarkation of emigrants for this purpose, and none have yet arrived from China ; and 2ndly, because no settlers have come forward. A few immigrants have been brought from Barbadoes and Madeira, but, for the reason above stated, no encouragement could be given by way of offering premiums. It has been urgently represented, therefore, that the regulations should be so far modified as to offer premiums for the embarkation of immigrants from ports not assigned as above—a suggestion which has been adopted by the Home Government in May 1864.

Measures have been taken for dividing the colony into districts and appointing officers to them for the purposes of the emancipation law, but until matters become more settled it is inexpedient to incur the risk of a large expenditure in the purchase of stations for the Commissioners. Much difficulty is experienced in carrying out these measures in consequence of the great extent of territory to be provided for, and the limited means at the disposal of the Commissioners.

The Commissioners have visited their several districts in performance of the several preliminary duties required by the law previously to the 1st July, taking advantage of the opportunity to give the slaves all necessary information and to urge them to execute contracts for labour after July 1, and in the meantime to complete their terms of slavery in the observance of order and industry.

Shops were not permitted under the former regulations, but advantage has been taken of the liberty given under the new order of things, and shops have been started with the sanction of the Administrative Power, where the emancipated slaves may provide for all their requirements.

With reference to the subject of Government superintendence, it is evident that special measures are requisite for carrying out the designs of the Legislature. Regulations have accordingly been framed and published respecting the rights and obligations of the persons subject to Government superintendence, and their employers, copies of which, translated into negro-English, have been also distributed.

Objections have been tendered on the part of several planters against these regulations, most of which have been found premature and exaggerated, so that the Government has acquainted the memorialists that there are no grounds for modifying the regulations at present ; but if experience should prove the expedience of any future modifications, advantage will be taken of their suggestions.

It is suggested in the Report that provision should be made for the summary administration of justice in cases punishable by slight correctional penalties.

Inconvenience and expense would be occasioned by the necessity of sending offenders in such cases for trial to Paramaribo from distant plantations, while the experience of British Guiana, in which it is alleged the punishment of flogging, once abolished, has been recently re-enacted for certain offences, shows the expediency of entrusting local officers with powers of this description.

Surinam, likewise, is very unfavourably situated for the restraint of a population indisposed to labour on account of the limited numbers of those who could be employed for this purpose, as well as the great distances and imperfect means of communication between the different districts. The Colony has also one disadvantage peculiar to itself, in a population of bush negroes and runaways, who set a bad example to the labouring class, and show them how they may squat, unmolested, at a distance from the inhabited part of the Colony. Fortunately this example has hitherto produced little bad effect.

Government superintendence is necessary, not only for the promotion of industry, but also to encourage the emancipated slaves to send their children to school. Otherwise few would avail themselves of this advantage, but they would live a vagabond life with their parents, or, as in Demerara, squat on some deserted plantation, and there be entirely demoralized. For the encouragement of marriages among those who are placed under Government superintendence, the usual fees to civil officers are remitted, not only in favour of those who are without means of paying, but of all who desire to avail themselves of it, trusting that a principle of self-esteem, co-operating with the influence of the Moravians, will prevent those who have the means from submitting to be married as indigent persons.

During the last six months of 1863 thirty-two marriages between parties, both of

which were under Government superintendence, took place at Paramaribo and the out-districts, besides three in which the husband only was under superintendence. The average number of marriages throughout the whole Colony for the three last years before the emancipation was sixty-three annually.

The education of children under Government superintendence is at present almost entirely in the hands of the Moravian Brethren. Their school at Paramaribo, as well as those of the Roman Catholic clergy in that place, and on some plantations, are attended by some children of emancipated slaves; but there still remains much to be done by Government, and a plan is in preparation for the establishment of more schools and the improvement of education in co-operation with those religious bodies.

A misapprehension existed that the Government were obliged to provide for all children and aged persons without distinction, which might have been attended with mischievous consequences, had not a proclamation warned the emancipated slaves that they as well as all other free persons were bound legally, as well as morally, to provide for their children and parents, as the State only took the charge of such aged and infirm persons and children as had no relations to provide for them. This announcement had a favourable effect. Those who become chargeable to State are partly provided for provisionally by their former proprietors or their stewards, receiving for this an advance of one florin per head per week, and partly by receiving and relieving them at the Government establishment at Paramaribo.

The amount paid for relief up to the end of December was 17,797 florins 93 cents: 700 persons and upwards were in receipt of relief.

It has been difficult to make proper provision for medical assistance, partly from the deficiency of means, and partly from the unwillingness of the emancipated slaves to avail themselves of such means as were within their reach, and the neglect of their employers to encourage them to do so.

The Governor has not yet seen fit to exercise the right conferred on him by the law of exempting any of the emancipated slaves from Government superintendence, on the ground of good behaviour and industrious habits.

Some of the authorities are of opinion that emancipated slaves should be prohibited from holding or even leasing real property, citing the example of British Guiana to show the mischief of such a privilege. The Governor, however, has not thought himself at liberty to deny this right, though he has annexed some limitations to the exercise of it.

The disinclination of emancipated slaves to enter into labour contracts were at first considerable, from a mistaken idea that they would thus reduce themselves afresh to a state of slavery. This apprehension, however, is gradually wearing away, but it will be necessary to be strict in enforcing the obligation of entering into labour contracts, in order to give efficiency to the Government superintendence.

It was not thought necessary, except in the instance of two of the most distant districts, to limit the choice of the freedmen in making their engagements to those districts in which they had been settled before the emancipation.

Permission has been given, subject to certain regulations, to some of the labourers to carry arms.

A tariff of task work and wages was established in 1861. It has been found difficult to establish a new one. It was anticipated that inconvenience would be occasioned if the Government were to pay the same rate of wages to labourers set to work by authority on the ground of refusal to enter into engagements, but the Governor did not feel himself authorized to make a difference between one class of government labourers and another. Fortunately the anticipated consequences did not ensue, nearly all the freedmen having entered into private employment.

The Regulations framed by the Colonial Government against idleness and vagabondage have worked well.

The effect of the provision of the Emancipation Law, requiring the slave-holders to provide for the lodging of their former slaves for three months after the beginning of the operation of the law, has not been good, and it has been the subject of much misapprehension. The planters have thought themselves exempt from the obligation of making any payment to the former slaves for the labour which by law they were obliged to perform, while lodged during that period of three months; but the Colonial authorities have maintained the principle that emancipated slaves should only work for wages, reducing, however, their claim to two-thirds of the regular Tariff, so long as they should not have entered into contracts for work.

The tax due by emancipated slaves for 1864 was estimated, on the basis of contracts being entered into, by—

							Florins.
7,500 men to be taxed at 3 florins	..	..	..	..	..	..	22,500
7,500 women, at	..	..	..	..	..	..	11,250
Immigrants ..	..	..	..	..	..	..	5,000
Total	..	..	..	..	..	..	38,750

The actual number of contracts entered into up to the end of January 1864 corresponds to an amount of tax of 41,530 florins; so that, without reckoning anything for immigration, there is a surplus above the estimate of 2,780 florins.

Two Returns are annexed, showing the correctional penalties inflicted by the Commissioners for the two last quarters of 1863.

Proceedings were taken against one employer only for non-payment of wages; the judgement, however, was in his favour. Fines were paid by five persons for trifling offences against the Emancipation Law, without one requiring the award of the Commissioners.

Though the naval and military forces were increased for precaution sake, the state of the colony was such before the end of the year that three vessels of war, together with the detachment of marines, were dispensed with, and proceeded to their several stations.

The police force urgently requires to be increased; the men are overworked, and the force is much reduced by sickness, occasioned by night as well as day work. The Home Government is justified in its refusal to sanction a proposal for the employment of the most trustworthy labourers on the plantations as assistant policemen, since such a force would, as is also proved by the experience of Demerara, be too much under the influence of the overseers.

Although as the 1st July approached some well-founded complaints were made of indisposition to labour, and insolence, especially among the younger hands, yet in general the day was looked forward to in tranquillity and order. The authorities found it expedient to dispense with any public festivities on that day, and to keep it as a day of general thanksgiving and prayer. It accordingly passed off quietly, owing chiefly to the exertions of the Moravian Brethren in preparing their congregations for it. The 2nd and 3rd were observed with public rejoicings, but without any breach of public order. On the 6th, however, as if by a general understanding, the hands refused to work for the fixed rate of wages throughout most of the plantations. The spirit of insubordination however gradually gave way, principally through the personal intervention of the Governor, without the assistance of the military force, in explaining to the several plantation hands through an interpreter their obligations and rights.

Notwithstanding the success of his endeavours, however, there was much to be desired in respect of regularity of work, even on some plantations where contracts had been made during the first three months. It cost much trouble to induce most of the freedmen on the plantations to enter into contracts; while, on the other hand, some proprietors and managers (the latter, however, chiefly in consequence of want of instructions from the employers) threw difficulties in the way. Some of these suffered for their misconduct subsequently by want of labourers.

One great difficulty arose immediately after the emancipation, from the owners of about 10,000 slaves giving notice a few days before the 1st July, that they did not intend to avail themselves of the labour of their slaves during the first three months according to the proviso of Article 30 of the Law. Fortunately, however, the authorities got over this difficulty by most of these slaves being provided with work without their interference. Two plantations were worked by the Colonial Authorities, in consequence of the refusal of the managers, for want of instructions; but the cost was covered by the produce raised.

Shortly after the 1st of October, the great majority had entered into contract, an example which was progressively followed by the remainder, with but very few exceptions.

The Administration took all necessary steps for that end. Notice was given that strict observance would be enforced of the regulation, which required that no freedman should be kept at work without regular contracts, and that the plantation hands who should still refuse to enter into any agreements should be transported elsewhere, preparations being made for that purpose by providing vessels, and taking precautions against insubordination by stationing vessels of war. The result was that many planters, as well as freedmen who had hitherto held out, hastened to enter into contracts, the former that they might not lose their working hands, the latter that they might not be removed to other parts of the colony.

It may be stated, then, that with few exceptions the available labour of the colony has been secured for agricultural purposes, and that few but the aged and infirm, and orphans, have been handed over to the Government.

A further motive which contributed to the difficulty of inducing the freedmen to enter into labour contracts was their desire to settle down on small patches of uncultivated

ground, at a distance from the supervision of the district authorities. In order to prevent the mischief arising from a practice like this, which has such bad consequences in British Guiana, no contracts were sanctioned except for plantations actually under cultivation, and with proper appliances for lodging, and providing for the freedmen. There was also a strong disposition to remove to the town, by which many hands would have been withdrawn from field labour. It required strenuous efforts to overcome this.

The freed men did not, in every instance, contract in the plantations where they had worked as slaves. This was partly from their own caprice, and partly from the suggestions of evil-disposed persons. Nevertheless the greater number showed an attachment to their former place of employment, especially where the provision grounds were good.

In consequence of the employment of so many of the freed-men under contracts, it has not been necessary for the Colonial Government to retain possession of the plantations provided for the employment of labour; nor is it anticipated that there will be any difficulty in procuring land for this purpose, if at any future period many labourers should be thrown on their hands.

Notwithstanding a few unfavourable symptoms observable in the behaviour of the younger freed-men, and the want of wholesome discipline exercised by parents over their children, the re-appearance of heathenish and idolatrous practices subsequent to emancipation, and many instances of theft, stimulated by the excessive dearness of provisions, it may be affirmed with confidence that the effects of emancipation have so far proved satisfactory, even beyond all expectation.

In order to form an estimate of its results in an economical point of view, returns are annexed showing the production of different articles for the five years preceding 1863, as well as for the subsequent period up to the middle of 1864, and also of the prices for which plantations sold during the two years ending with 1st July, 1864.

The report concludes by citing the judgment of the Moravian Brethren, a community intimately acquainted with the condition and habits of the negro population, which speaks favourably of the prospects of their material welfare, while in respect of religion and morality they are at least not retrograde.

No. 113.

Earl Russell to Sir J. Milbanke, December 7, 1864.

[See No. 21.]

No. 114.

Sir J. Milbanke to Earl Russell.—(Received December 23.)

My Lord,

The Hague, December 21, 1864:

I HAVE the honour to forward herewith copy of a note which has been addressed to me by the Netherlands Minister for Foreign Affairs in reply to that in which, in obedience to instructions conveyed to him in your Lordship's despatch of the 2nd of April last, Her Majesty's Chargé d'Affaires brought to the notice of the Netherlands Government a statement of the officer in command of Her Majesty's naval forces on the West Coast of Africa, representing that the Netherlands authorities at Elmina are in the habit of purchasing slaves from the King of Ashantee with a view to their being subsequently incorporated as soldiers in the Netherlands forces in the East and West Indies.

Your Lordship will perceive that in his note M. Cremers does not deny that recruits are raised for the purpose above mentioned in the colony, but his Excellency asserts that they are not purchased, and that they enrol themselves of their own free will, and dispose of the bounty paid on enlistment into their own hands according to their pleasure.

I have, &c.

(Signed) J. R. MILBANKE

Inclosure in No. 114.

M. Cremers to Sir J. Milbanke.

La Haye, le 20 Décembre, 1864.

LE Soussigné, Ministre des Affaires Etrangères, a l'honneur de porter à la connaissance de Sir John R. Milbanke, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa

Majesté Britannique, en réponse à la note de la Légation du 6 Avril dernier, que le Département des Colonies a fait instituer les recherches nécessaires au sujet de l'achat d'esclaves qui, ainsi que le Cabinet de Londres en a reçu l'information, serait opéré par les autorités Néerlandaises de la côte de Guinée dans le but d'enrôler ces malheureux dans l'armée coloniale aux Indes Orientales.

Il appert des renseignements transmis au dit Département que l'enrôlement dans la colonie précitée s'effectue d'après les instructions existantes relativement à cette matière.

Les individus qu'on enrôle dès lors sont nés libres ou esclaves, ou bien ceux qui ont aliéné leur liberté pour cause de dettes (connus sous le nom de "pandelingen"). Mais tous ces individus quels qu'ils soient ne sont admis dans les rangs de l'armée coloniale qu'entièrement rachetés et affranchis, et en se présentant tout à fait de plein gré.

Parmi les personnes qui se présentent, celles qui sont entièrement libres sont en minorité, mais l'enrôlement d'esclaves ou des "pandelingen" a lieu à Elmina de la manière suivante en conformité des dites instructions :—

Un individu de l'une ou de l'autre catégorie qui désire entrer au service se rend au fort, et vient, accompagné de son maître ou de son créancier, s'offrir comme soldat pour l'armée des Indes Orientales. Après avoir été examiné et trouvé apte au service, ou lui demande pertinemment s'il agit entièrement de plein gré et volontairement. Si la réponse est affirmative, il reçoit lui-même la prime, dont il remet ordinairement de suite une partie à son maître ou à son créancier.

Ensuite on habille l'individu en question, et il est soldat.

Dans les derniers temps l'agent Néerlandais à Coomassie n'a pas envoyé de recrues ; mais s'il en eut été autrement l'on ne doute pas que les instructions précitées n'eussent été exécutées, et il n'y a aucune raison de craindre que les enrôlements puissent nuire à la cause de l'abolition de l'esclavage. En outre un enrôlement qui serait opéré sur une vaste échelle dans l'intérieur de l'Afrique pourrait peut-être encore donner lieu à des inquiétudes sous ce rapport, mais non un enrôlement annuel sous les conditions susmentionnées, qui ne dépasse pas 100 hommes, comme ceci a été le cas durant les dernières années. L'assertion que les chefs indigènes fourniraient les recrues semble être dénuée de fondement ; durant les dernières années on n'a plus reçu à Elmina des recrues du Roi d'Ashantin.

Le Soussigné se flatte que les explications qui précèdent convaincront le Gouvernement de Sa Majesté Britannique que celui des Pays-Bas évite soigneusement tout ce qui pourrait servir à favoriser, même indirectement, l'esclavage, et il prie Sir John R. Milbanke d'agréer, &c.

(Signé)

E. CREMERS.

PORTUGAL.

No. 115.

Sir A. Magenís to Earl Russell.—(Received January 16.)

My Lord,

Lisbon, January 6, 1864.

I HAVE the honour to inclose herewith translation of a note which the Duke de Loulé addressed to me on the 4th instant, respecting the appointment of the Portuguese Commissioners to the Mixed Commission at Loanda.

~~That~~ I conclude that his Excellency addressed to me this note in consequence of a representation which, at the request of Mr. Vredenburg, I had made to him on the 24th ultimo, informing him that Her Majesty's Commissioner could not acknowledge the *de facto* appointment of the Portuguese members of the Court of Relação at Loanda, as members of the Mixed Commission, unless they were duly furnished by the Portuguese Government with commissions appointing them.

I referred his Excellency to the correspondence which had passed between Mr. Howard and Mr. Paget and his Excellency in 1857, on this subject, and added we made no objection to the nomination of the members of the Court of Relação at Loanda, but merely required they should have a proper commission.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 115.

The Duke of Loulé to Sir A. Magenís.

(Translation.)

Foreign Office, Lisbon, January 4, 1863.

IN my despatch of the 24th of October last I pointed out to the Minister of Marine the expediency of filling up, as soon as possible, the offices which are now vacant in the Mixed Portuguese and British Commission Court established at Loanda, which offices, in conformity with the Decree having the force of law, of the 30th of December, 1852, must be held by members of the Court of Relação (Second Instance) in that city.

His Excellency having replied, on the 4th of November, that inasmuch as the Bachelor of Arts Bernardo Soares Vieira da Motta, the Judge of the Province of St. Thomas, had been appointed to the aforesaid Court of Relação, by a Decree of the 28th of July of last year, he must have already departed for his post; and further, that the President of the said Court of Relação, Luiz Jozé Mendes Affonso, being now in this city on leave of absence, it was natural to suppose that he would return to the Province as soon as his leave expired, I again addressed myself, on the 31st of last December, to the same Minister, urging him to take the necessary measures in order that the said functionaries might set out for their posts as soon as possible.

I renew, &c.

(Signed) DUKE OF LOULE.

No. 116.

Earl Russell to Sir A. Magenís.

Sir,

Foreign Office, February 10, 1864.

WITH reference to your despatch of the 6th ultimo, I have to convey to you my approval of the representation which you made to the Duke de Loulé on the 24th of

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December last, informing him that Her Majesty's Government could not acknowledge the members of the Court of Relação at Loanda to be *de facto* members of the Mixed British and Portuguese Commission there, but that in order that they should be duly authorized to sit in the Mixed Commission Court it would be necessary that they should be furnished with the Commissions contemplated by the Treaty.

I am, &c.
(Signed) RUSSELL.

No. 117.

Earl Russell to Sir A. Magenis.

Sir,

Foreign Office, February 22, 1864.

I TRANSMIT to you herewith a copy of a despatch from Dr. Livingstone, in reply to one which by my directions was addressed to him, containing instructions for the withdrawal of the expedition entrusted to his charge.

My object in transmitting to you this despatch is in order that you may make known to the Portuguese Government what Dr. Livingstone states with regard to the entire depopulation of the Shire valley by the slave-hunting expeditions of the Governor and merchants of Tette.

It is lamentable to think that the indefatigable exertions of Dr. Livingstone to bring that portion of Africa which has for so many years been the scene of his labours into communication with the civilized world, should have been frustrated by the demoralizing influence of the slave-dealers, and of those who participate in the profits of this unholy traffic, under the countenance and protection of the Portuguese authorities.

Had his efforts proved successful, the Portuguese Possessions on the East Coast of Africa could not have failed to have benefited by the civilizing influences which would have been brought to bear upon this part of the African continent.

If Her Majesty's Government are rightly informed, legitimate traffic scarcely exists, or is reduced to the lowest ebb, in the Portuguese territories on the Eastern Coast of Africa, and the only trade that can be said to flourish is the Slave Trade. The result is that the country is fast becoming depopulated, the people remaining degraded and uncivilized.

This unsettled state of things must continue to exist so long as slave-hunting and the export Slave Trade are countenanced and supported by Portuguese authorities and subjects, as is shown to be the case by the reports received by Her Majesty's Government from Dr. Livingstone and from other sources.

Her Majesty's Government do not doubt that the Government of His Most Faithful Majesty are in earnest in their desire for the suppression of the Slave Trade, but there is too much reason to believe that the instructions which they may give to their subordinate authorities are not carried out, but that, on the contrary, those employed on the African coasts wilfully contravene the orders of their Government.

I have accordingly to desire that you will address a note on this subject to the Portuguese Government, in which you will make known the views of Her Majesty's Government.

I am, &c.
(Signed) RUSSELL.

No. 118.

Earl Russell to Sir A. Magenis.

Sir,

Foreign Office, March 8, 1864.

I TRANSMIT to you herewith a copy of a despatch from Her Majesty's Commissioner at Loanda,* calling the attention of Her Majesty's Government to a difference of opinion that has arisen between him and his Portuguese colleague, originating in a claim made by Commander Hoskins of Her Majesty's ship "Zebra," who captured the Portuguese brigantine "Laura," to have the fees of his Proctor paid out of the proceeds accruing from the sale of the prize, before such proceeds were divided between the British and Portuguese Governments.

The Portuguese Commissioner, it will be seen on the other hand, contends that the proceeds should be first divided between the two Governments, and that then the captor's

* Class A, 1863, No. 110.

expenses should be paid out of the moiety due to the Government whose cruizer made the capture, and it has been agreed between them that this question should be referred for the decision of their respective Governments.

I have to acquaint you that upon the receipt of Mr. Vredenburg's despatch I referred the matter for the consideration of Mr. Rothery, the legal adviser of the Treasury upon Slave Trade matters, a copy of whose Report I now inclose; and I have at the same time to inform you that Her Majesty's Government entirely concur in opinion with Mr. Rothery that, subject to taxation of the Court as regards amount, the Proctor's fees should be paid out of the proceeds accruing from the sale of a prize before such proceeds are divided between the two Governments.

Although this course of proceeding would not appear to have been hitherto adopted in cases coming for adjudication before the Mixed Commission Court at Loanda, it has obtained in the Mixed Commission Court established at the Cape of Good Hope, and it seems so fair and equitable a mode of proceeding that Her Majesty's Government cannot doubt that the Portuguese Government will, upon considering this matter, take the same view of the case as Her Majesty's Government, and will give instructions accordingly to their authorities at Loanda.

I have to instruct you to make a representation on this subject to the Portuguese Minister, and you will request to be informed of the decision that may be come to by the Government of His Most Faithful Majesty, in order that Her Majesty's Government may be enabled to send such instructions as may be necessary to the British Commissioner at Loanda.

I am, &c.
(Signed) RUSSELL.

Inclosure in No. 118.

Report.

To the Right Honourable the Lords Commissioners of Her Majesty's Treasury.

May it please your Lordships,

IN obedience to your Lordships' commands I have perused and considered the documents herewith returned, consisting of a letter from James Murray, Esq., the Assistant Under-Secretary of State for Foreign Affairs, dated the 6th of August last, transmitting copy of a despatch from Mr. Vredenburg, Her Majesty's Commissioner at Loanda, requesting instructions upon a question which has arisen between himself and the Portuguese Commissioner at that place in the case of a vessel called the "*Laura*," and the question having been left for the decision of the British and Portuguese Governments, Mr. Murray requests that Mr. Vredenburg's despatch may be referred to me as your Lordships' adviser on Slave Trade matters, for my opinion as to what would be the proper course to be pursued.

The case of the "*Laura*" formed the subject of my Report to your Lordships of the 24th instant. It will be seen from that Report that she was captured by Her Majesty's ship "*Zebra*," Commander Hoskins, on the 13th of February last, and that having been thereupon sent to Loanda for adjudication, she was on the 17th of March following condemned by the Portuguese Members of the Mixed Court of Justice established at that place, on the ground that she was engaged in the Slave Trade. It would seem that Commander Hoskins then applied to have the fees of the Proctor who had been employed to conduct the proceedings on behalf of the captors paid out of the proceeds before the balance was divided, in accordance with the terms of the Treaty with Portugal of the 3rd of July, 1842, between the two Governments, in moieties. This being, it is said, a novel application to the Court, a special Session was held for its consideration, on which occasion the Governor-General of Loanda acted as Portuguese Commissioner in consequence of the death or absence of that official. It may, however, be convenient before adverting to what occurred at the meeting, that I should refer more particularly to the words of the Portuguese Treaty.

The sixth Article of Annex B, which contains the Regulations for the guidance of the Courts, provides that "if the detained vessel shall be condemned she shall be declared lawful prize, together with the cargo," and shall "as well as her cargo, be sold by public sale for the profit of the two Governments, subject to the payment of the expenses hereinbefore mentioned."

The expenses referred to are, in the second Article of the same Annex, described as

including amongst others, "all disbursements occasioned by bringing a vessel to adjudication," and it is provided that such expenses "shall, in case of condemnation, be defrayed from the funds arising from the sale of the materials of the vessel, her cargo, and stores." And the question, therefore, to be decided was whether the expenses "occasioned by bringing a vessel to adjudication" properly included the costs due to the captor's Proctor for conducting the prosecution, and whether they ought to be deducted from the proceeds previous to the division thereof between the two Governments, or whether, on the other hand, they should be borne wholly by the captors.

At the Session of the Court Mr. Vredenburg appears to have laid some stress on the fact that the words in the English version of the Treaty are "all disbursements occasioned by bringing a vessel," not for adjudication, but "to adjudication," by which he thought might be understood the end of the proceedings, so as to include the Proctor's fees; but to this it was answered that the words in the Portuguese version "*a ser julgada*" would not bear that interpretation, but simply meant bringing in a vessel "to be judged." Mr. Vredenburg further states that he pointed out to the Portuguese Governor that by Article VII of Annex B, in cases where vessels have not been condemned as lawful prize, and the captors have to make compensation, the injured party is entitled "to a just and complete indemnification of all costs of suit;" and he contended that similarly the captors, where successful, should be entitled to the same, and that there was a manifest injustice in the Portuguese Government receiving a clear moiety of the proceeds, leaving the heavy law expenses to be borne by the captors, or, as he afterwards expresses it, that the Government whose duties have been of a very negative description should receive a larger amount than those who have had all the anxiety and annoyance. He states that the Governor-General admitted that what he had advanced appeared to be reasonable, but that as no precedent existed for allowing the amount, and no claim of that nature had ever been made before, it would be better that the question should be referred to their respective Governments. Mr. Vredenburg adds that Commander Hoskins had requested him to pay the Proctor's fee, amounting to 100*l.*, when he should receive the share accruing to the captors, and that, consequently, should his view be correct, the Portuguese Government will have to refund 50*l.*

Whether the Portuguese version of the Treaty will bear the interpretation which the Governor-General has sought to affix to it is a point upon which I will not venture to offer an opinion. It seems, however, that the Governor was mainly influenced in forming his opinion by the fact that there was no precedent at Loanda for the allowance of such a charge; it therefore became important to inquire what has hitherto been the practice, not at Loanda only, but in the other British and Portuguese Mixed Courts of Justice.

Your Lordships are aware that the only two places at which British and Portuguese Mixed Courts of Justice are now established are Loanda and the Cape of Good Hope. Formerly there were similar Courts at Jamaica, the Cape de Verde Islands, and Sierra Leone, but they have long since been abolished; and of these Sierra Leone alone appears to have had any amount of business. I propose, therefore, by a careful examination of the account sales in cases which have come before the Courts of Loanda, the Cape of Good Hope, as well as Sierra Leone, to ascertain what charges it has been the practice to allow out of the proceeds; and whether or not the Proctor's fees have usually formed part of them.

First, then as to Loanda. It would certainly appear, as the Governor-General stated, that at this place it has not hitherto been usual to make any payment out of the proceeds to the captor's Proctor, and for an obvious reason—that it was not the practice to employ a proctor; all the work would seem to have been done by persons attached to the Court; and if any one could be said to have acted as the captor's Proctor, it was the Clerk to the Commissioners. Whether he received any remuneration for his services I know not, but, at all events, the Governor-General is quite correct in saying that no allowance was made out of the proceeds for the costs of the captor's Proctor. Thus, in the case of the "*Graciosa Vengativa*," captured by Her Majesty's ship "*Pantagoon*" on the 4th of May, 1845, the account sales in which were forwarded to the Treasury in the Foreign Office letter of the 1st of June, 1846, I find that, although there were various deductions from the proceeds for expenses incurred pending the adjudication, there is no charge for the services of a Proctor. It would seem, however, from other papers in the case which were forwarded to the Treasury in the same year, that Mr. Brand, the then Clerk to the British Commissioners, had acted on the occasion as the captor's Proctor; whether he received any gratuity for his services I do not know: but if he did it, was not paid out of the proceeds, but by the captors themselves.

Again, in the cases of the "*Paquete de Moanda*" and "*Vavo*," captured by the

Portuguese vessel of war "Don Pedro V," and on which I had the honour to report to your Lordships on the 29th of October, 1861, it will be seen, on reference to the account sales that, although other deductions were made from the proceeds (and in regard to which I shall have occasion to speak hereafter), there is no charge for the services of a Proctor to conduct the proceedings, unless, indeed, the small charge of 15 milreis to the "clerk or messenger for his fees and extra writing" be a charge of that description. The Governor-General, therefore, is no doubt quite right when he states that there is no precedent in the Court at Loanda for the allowance out of the proceeds of a charge for the captor's Proctor.

On the other hand, at the Cape of Good Hope, the practice appears to have been different; there not only are the captors in the habit of employing a Proctor, but his fees are paid out of the proceeds prior to the balance being divided between the two Governments. Thus in the case of the "*Sociedade*," captured by Her Majesty's ship "Sappho," the account sales, which were forwarded in the Foreign Office letter of the 12th of June, 1844, show, amongst other charges, a payment of 49*l.* 4*s.* 4*d.* out of the proceeds to the captor's Proctor. Again, in the case of the "*Bella Angella*," captured by Her Majesty's ship "Dolphin," the account sales which were forwarded in the Foreign Office letter of the 3rd of February, 1845, show, amongst a great variety of payments (for the case seems to have been very hotly contested), an item of 130*l.* 14*s.* 8*d.* paid out of the proceeds for the captor's Proctor's charges. Similarly in the case of the "*Eolo*," captured by Her Majesty's ship "Orestes," the account sales, which were transmitted in the Foreign Office letter of the 25th of November, 1851, show a payment (for this case also was hotly contested) of no less than 127*l.* 13*s.* 1*d.* to the captor's Proctor. In all the above cases the Proctor's charges were paid out of the proceeds, and the balance only was divided in moieties between the two Governments.

So far, then, as the two existing Courts are concerned, the practice would seem to be as follows:—At Loanda it has not hitherto been usual to allow anything out of the proceeds on account of the Proctor's charges; if a Proctor was employed, he must have been paid by the captors themselves; but it seems more probable that the Proctor's duties were performed by the Clerk to the Commissioners, and that, being a salaried officer, he was not paid. On the other hand, at the Cape of Good Hope, not only has it been the practice to employ a Proctor, but his charges have been allowed out of the proceeds previous to the balance being divided in moieties between the two Governments.

I now come to Sierra Leone, and I find a very different practice to have prevailed in the Mixed Commission Courts at that place; there not only has it been usual to employ a Proctor, but his fees have been paid, not out of the proceeds, but by the captors themselves. Thus, in the recent case of the "*Jane*," which was captured by Her Majesty's ship "Espoir," and condemned in the British and Netherlands Mixed Court of Justice at Sierra Leone, and on which I had the honour to report to your Lordships on the 30th of March last, there is no charge in the account sales for the captor's Proctor; but when the agent's accounts afterwards came before me, I found that a sum of 50*l.* had been paid to Mr. Dougan, the captor's Proctor, for his services in conducting the prosecution; and as that sum was allowed in the agent's accounts, it became chargeable wholly against the captors. It is true that this case occurred in the British and Netherlands Court, but I have no reason to think that the practice was different in the other Mixed Commission Courts at Sierra Leone, or that it was otherwise in the British and Portuguese Court when it formerly existed at that place. For I find, on an examination of the account sales in the case of the "*Quethe Importa*," captured by Her Majesty's ship "Rapid," and condemned in the Mixed British and Portuguese Court on the 9th of November, 1842, which were forwarded to the Treasury in the Foreign Office letter of the 16th of March, 1843, that they contain no allowance to the captor's Proctor. And again, in the case of the "*Andorinha*," captured by Her Majesty's ship "Persian," the account sales in which were forwarded in the Foreign Office letter of the 10th of October, 1843, there is no mention of any payment to the captor's Proctor. But although the account sales in these two cases contain no Proctor's charges, I have no doubt, as in the recent case of the "*Jane*," that if the agent's accounts could be discovered, it would be found that the captors had employed a Proctor, and had themselves paid his fees. As, however, the British and Portuguese Mixed Court of Justice at Sierra Leone was abolished so long since as 1844, your Lordships may possibly be of opinion that it is to the practice not of that Court, but of the two existing Courts, that we must look for guidance; and if the somewhat anomalous position of the Loanda Court, where it seems not to have been usual to employ the services of a Proctor, be set aside, we have the practice of the Cape of Good Hope Court, in which not only has it been usual to employ a Proctor, but to pay him out of the proceeds previous to the division thereof between the two Governments.

I should state that a similar question arose in the British and Brazilian Mixed Court of Justice at Rio in the case of the "*Recuperador*," prize to Her Majesty's ship "*Grecian*." The question was fully considered in Mr. Rothery's Reports to your Lordships of the 9th of February, 1841 (No. 2,960), and 5th of February, 1842 (No. 2,751), to which I beg to refer you. It will be seen from those Reports that instructions were on that occasion sent to the British Commissioners of Rio, directing them to come to an arrangement with their Brazilian colleagues, so that in future the Court should fix the amount of the Proctor's fee, and should direct payment thereof to be made out of the proceeds, before the balance was divided between the two Governments. Whether these instructions were ever carried into effect I am not able to say, a change in the law having soon afterwards taken place, which authorized British Vice-Admiralty Courts to adjudicate upon Brazilian vessels, instead of, as theretofore, the Mixed Commissions. But at all events, the opinion of Her Majesty's Government at that time was that the Proctor's fees in the event of the vessel's condemnation ought to be paid out of the proceeds prior to division between the Governments.

Admitting, however, that no very certain inference is to be drawn from the practice which has hitherto prevailed in the Mixed Commission Courts, let us see whether there are not some reasons, in addition to those urged by Mr. Vredenburg, why the Proctor's fees should be paid out of the proceeds, before the division is made between the two Governments. And first I should observe that it is the invariable practice of Courts of Admiralty, not of British Courts only, but, so far as I am aware, of foreign Courts also, in the event of the condemnation of a vessel, to order the captor's expenses, including, of course, the costs of his Proctor, to be paid out of the proceeds; and as the practice of the Mixed Commission Courts was founded mainly on that of the High Court of Admiralty of England, this consideration ought, it seems to me, to be entitled to some weight. But in addition to this, it is to be observed that even in the cases which came before the Court at Loanda, there where certain charges which it was thought proper to allow out of the proceeds, and it may therefore be proper to inquire what those charges were, and how far they differ from the Proctor's charges; whether they are, as the Governor-General would contend, charges incurred "in bringing in the vessel to be adjudged," and not charges incurred after she had been brought in and pending the adjudication.

I will take the cases of "*Paquete de Moanda*" and "*Va Vo*," to which I have already referred, not only as being the most recent cases, but because the capture in both those cases was effected by a Portuguese vessel of war; and consequently the payment out of the proceeds of any expenses incurred by the captors in those cases would be directly in the interest of the Portuguese Government or captors, in the same manner as the allowance of the sum claimed out of the proceeds in the case of the "*Laura*" will be in the interest of the English Government or captors.

On referring to one of the documents which accompanied the account sales in the cases of the "*Paquete de Moanda*" and "*Va Vo*," Inclosure No. 2 in No. 15,239 (1861), it will be seen that after the condemnation a special meeting of the Commission was summoned to examine the accounts which had been given in by the Secretary, and to determine the gratification to be given to the Interpreter for his services on the trial, the Governor-General on the occasion acting as Portuguese Commissioner, Sir Henry Huntley as British Commissioner. It seems that the Interpreter had claimed 75*l.* for his services, which the Governor thought very reasonable, and which was equally approved of by the British Commissioner; and accordingly that sum, as well as "15 milreis as a gratification and fees to the Clerk, 10\$900 for stamp duty, 2\$845 to the Accountant of the Superior Court of Justice," and 23\$400 for the survey and valuation of the prizes, were ordered to be paid, and were, it would seem from the account current, paid out of the proceeds before the balance was divided between the two Governments. These, then, are the charges which it was thought proper to allow out of the proceeds, but why they should have been allowed in preference to the fair and reasonable charges of the captor's Proctor, I am quite at a loss to understand. They were all charges incurred, not, as the Governor-General would contend, in bringing the vessels in to be adjudged, but after the vessel had been brought in and pending the adjudication; they are charges attending the prosecution of the vessel, and stand all upon the same footing; in principle, I can see no distinction between them.

I have therefore no hesitation in saying that, in my opinion, the Proctor's charges ought to be paid out of the proceeds before they are divided in moieties between the two Governments; at the same time, however, it is not for the captors to fix the amount of the Proctor's fee, nor even for the British Commissioner, but for the Court itself. Whether 100*l.* is or is not a proper sum to be paid to the captor's Proctor for his services on the occasion, I do not know; but it appears, looking to the nature of the proceedings that

100l. would, under any circumstances, be a very large fee; and if the Clerk to the British Commissioners acted on the occasion as the Proctor, as we find he did in the case of the "*Graciosa Vengativa*," per "*Pantaloon*," it seems to me that the amount would be much more than an adequate remuneration for his services, seeing that the Clerk to the British Commissioners is paid by the British Government, not perhaps for conducting the prosecution on behalf of the British captors, but for assisting Her Majesty's Commissioner in the performance of his duties. But however this may be, it is for the Court itself to say what is the proper amount to be allowed to a Proctor for conducting a cause before it.

And should your Lordships concur in the views which I have ventured to express, it will be proper that a copy or the purport of this Report should be forwarded to Earl Russell with a view to the issue, in concert with the Portuguese Government, of instructions to the Commissioners at Loanda, directing them that in any future case that may come before the Commissioners they would, in the event of the vessel being condemned, take care to fix the amount of the fee to be paid to the Proctor, and provide for payment thereof out of the proceeds previous to the division thereof between the two Governments. Whether, also, it would be advisable that similar instructions should be issued to the Commissioners at Sierra Leone, where a different practice appears to have prevailed, is a question for your Lordships' consideration.

All which is most humbly submitted to your Lordships' wisdom.

(Signed) H. C. ROTHERY.

Doctors' Commons, October 26, 1863.

No. 119.

Earl Russell to Sir A. Mageniz.

Sir,

Foreign Office, March 8, 1864.

I TRANSMIT to you herewith copies of two despatches, and their inclosures, from Mr. Vredenburg, Her Majesty's Commissioner at Loanda,* relating to the case of the Portuguese brigantine "*Laura*," a vessel which has been condemned in the Mixed Commission Court established in that city, on a charge of being equipped for the Slave Trade.

It is worthy of note in this case that when the "*Laura*" arrived at Loanda for adjudication, there was at the time no British Representative in the Mixed Commission Court established in that city; Mr. Gabriel, the British Commissioner, having died a short time previously: and the Court was therefore, in accordance with the stipulations of the Treaty of 1842 between this country and Portugal for the suppression of the Slave Trade, composed entirely of Portuguese officers. It may fairly be inferred, therefore, that if there had been any doubts as to the illegal nature of the voyage on which the "*Laura*" was engaged, the parties interested in her would have had the benefit of such doubts. But the evidence against the vessel was too strong to admit of any doubts on this point, and the "*Laura*" was accordingly condemned, and her crew handed over to the proper authorities to be dealt with in accordance with the provisions of the Portuguese laws.

It will be seen, however, from the Judgments rendered by the Tribunals of the 1st and 2nd Instancia at Loanda, translations of which accompany Mr. Vredenburg's despatch of the 28th December last, that verdicts of acquittal have been delivered in the case of the crew, and that the Procurador Regio has appealed to the Supreme Court at Lisbon against those verdicts.

I have to instruct you to bring this case to the notice of the Portuguese Minister, and you will express the hope of Her Majesty's Government that no effort will be spared by the Government of His Most Faithful Majesty to procure the punishment of the crew of the "*Laura*" and the parties engaged in this slave-trading transaction.

It appears from the proceedings in this case that the "*Laura*" on the voyage on which she was captured cleared from Havana, and that her owner, a Portuguese subject named José Lucas, gave the usual bond there, to the Portuguese Consul, that the vessel should not be engaged in the Slave Trade.

Her Majesty's Government do not doubt that the Government of His Most Faithful Majesty have taken the necessary steps to have these bonds estreated; but I have to desire that you will make inquiries on this point, and you will also inform me of the result of the appeal by the Procurador Regio at Loanda to the Supreme Court at Lisbon in the case of the acquittal of the crew of this vessel.

I am, &c.
(Signed) RUSSELL.

* Class A, 1863, No. 115; and Class A, 1864, No. 98.

Sir A. Magenis to Earl Russell.—(Received March 29.)

My Lord,

Lisbon, March 11, 1864.

I HAVE the honour to transmit herewith the accompanying despatch of the 11th January, which Her Majesty's Commissioner at Loanda forwarded to me under flying seal, and which reached me by the last packet from Loanda on the 8th instant.

I communicated yesterday to the Duke de Loulé the substance of Mr. Vredenburg's despatch, and pointed out to his Excellency the more than grave suspicions that the Slave Trade was carried on to a very considerable extent from the coast of Benguela, and as it was probable the Governor-General of Angola had forwarded, as he stated he intended to do, copies of the correspondence which he had had with the Governors of Mossamedes and Benguela, I urged his Excellency to confer with his colleague the Minister of the Colonies, and to take the necessary steps to put an end to this nefarious Traffic.

The Duke de Loulé took a note of the statements of Her Majesty's Commissioner, and promised to speak with the Minister of the Colonial Department on the subject.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Sir A. Magenis to Earl Russell.—(Received April 4.)

My Lord,

Lisbon, March 24, 1864.

I HAVE the honour to transmit herewith copy of the note which, in conformity with the instructions conveyed to me in your Lordship's despatch of the 22nd ultimo, I addressed to the Duke de Loulé respecting the withdrawal of the expedition to Eastern Africa entrusted to Dr. Livingstone by Her Majesty's Government, and the depopulation of the Shire Valley, as reported by that gentleman to your Lordship.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

P.S.—*March 26.* Since writing the above, I have received the note from the Duke de Loulé, a translation of which I have the honour herewith to inclose, in which his Excellency informs me that he has called the attention of the Minister of Marine to the contents of my note above referred to.

Inclosure 1 in No. 121.

Sir A. Magenis to the Duke of Loulé.

M. le Ministre,

Lisbon, March 15, 1864.

THE Government of His Most Faithful Majesty are probably aware of the intention of Her Majesty's Government to withdraw the expedition entrusted to the charge of Dr. Livingstone, the missionary and intrepid traveller, for the purpose of bringing that part of South Central Africa, which has for so many years been the scene of his labours, into communication with the civilized world; indeed, it is probable that such intention may have already been carried out by Dr. Livingstone, in conformity with the instructions of Her Majesty's Government received by him in April last.

I have the honour to state that I have received the instructions of Earl Russell, Her Majesty's Principal Secretary of State for Foreign Affairs, to report to your Excellency that Dr. Livingstone, who was appointed Her Majesty's Consul at Quillimane, in order, I believe, to facilitate the success of his exertions in the interests of science and civilization, has informed Her Majesty's Government that the object of his labours has been most lamentably frustrated by the demoralizing influence of the slave-dealers, and of those who participate in the proceeds of their unholy Traffic, under, there is too much reason to believe, the countenance and protection of the Portuguese authorities.

In his despatch upon this subject to Her Majesty's Government, Dr. Livingstone most particularly refers to that part of the country called Shire Valley, and to its entire depopulation by, as it would appear, the slave-hunting expeditions of the Governor of Tette; indeed, he was so impressed with the conviction, which the depopulation of the

said valley, from the causes above referred to, had created, that unless the Portuguese could be prevented from continuing their raids in the footsteps of his discoveries, no permanent good could result from his labours, that he had already commenced to reduce the number of the persons composing the expedition two months before he received the instructions of Her Majesty's Government to withdraw it altogether. This reduction, indeed, made solely, I regret to state, in consequence of the manifold proofs which existed of all previous labours being systematically neutralized, with, it is generally believed, the sanction of His Most Faithful Majesty's Government, and of the loss of one of Dr. Livingstone's companions, virtually dissolved the expedition.

It is scarcely necessary to remind your Excellency that had Dr. Livingstone's efforts proved successful, the Portuguese Possessions on the East Coast of Africa could not have failed to have benefited by the civilizing influences which would have been brought to bear upon that part of the African Continent; whereas, if Her Majesty's Government be rightly informed, legitimate traffic scarcely exists, or is reduced to the lowest possible ebb in the Portuguese Possessions on the Eastern Coast of Africa, and the only trade that can be said to flourish is the Slave Trade; and the result is that the country is fast becoming depopulated, the people remaining degraded and uncivilized.

This unsettled state of things must continue to exist so long as slave-hunting and the export Slave Trade are countenanced and supported by Portuguese authorities and subjects, as is shown to be the case by the Reports received by Her Majesty's Government, as well from Dr. Livingstone as from other sources.

Her Majesty's Government do not doubt that the Government of His Most Faithful Majesty are in earnest in their desire for the suppression of the Slave Trade, but there is too much reason to believe that the instructions which they may give to their subordinate authorities are not carried out, but that, on the contrary, those employed on the African coast wilfully contravene the orders of their Government.

I avail, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure 2 in No. 121.

The Duke of Loulé to Sir A. Magenis.

(Translation.)

Foreign Office, Lisbon, March 23, 1864.

I HAVE the honour to acknowledge the receipt of the note which you were pleased to address to me under date of the 15th instant, acquainting me with the information transmitted to your Government by Dr. Livingstone, with reference to the Slave Trade in the Province of Mozambique, which is said to be kept up by the local authorities, in spite of the orders of His Majesty's Government.

Having called the attention of the Minister of Marine to the contents of your said note, I shall await his Excellency's answer, which will be duly communicated to you.

I renew, &c.

(Signed) DUKE OF LOULE.

No. 122.

Sir A. Magenis to Earl Russell.—(Received April 4.)

My Lord,

Lisbon, March 24, 1864.

I HAVE the honour to transmit herewith copy of the note which, in obedience to the instructions contained in your Lordship's despatch of the 8th instant, I have addressed to the Duke de Loulé respecting the claim of Commander Hoskins, of Her Majesty's ship "Zebra," for the Proctor's fees in the case of the condemned slave-vessel "Laura" to be paid before the proceeds of the sale of the same be divided between Her Majesty's Government and the Government of His Most Faithful Majesty.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 122.

Sir A. Magenis to the Duke of Loulé.

M. le Ministre,

Lisbon, March 15, 1864.

I HAVE received the instructions of Earl Russell, &c., to call the attention of His Most Faithful Majesty's Government to a difference of opinion that has arisen between Mr. Vredenburg, British Commissioner at Loanda, and his Portuguese colleague, originating in a claim made by Commander Hoskins of Her Majesty's ship "Zebra," who captured the Portuguese brigantine "*Laura*," which vessel was condemned as a slaver by the Mixed Commission Court upon the 17th of March, 1863, to have the fees of his Proctor paid out of the proceeds accruing from the sale of the prize, before such proceeds were divided between the British and Portuguese Governments.

Whilst Mr. Vredenburg supported the claim in question as an equitable one, His Most Faithful Majesty's Acting Commissioner contended that the proceeds should be first divided between the two Governments, and that then the captor's expenses should be paid out of the moiety due to the Government whose cruiser made the capture, and it was agreed between them that this question should be referred for the decision of their respective Governments.

Her Majesty's Commissioner pointed out to the Acting Commissioner of His Most Faithful Majesty that the words in Article XI of Annex B in the English version of the Treaty of July 3, 1842, were "all disbursements occasioned by bringing a vessel to adjudication;" and that a difference existed between "bringing a vessel to adjudication," and "bringing a vessel for adjudication," and that by the former reading might be understood the end of the proceedings, and would include the Proctor's fee.

His Most Faithful Majesty's Acting Commissioner replied that the words in the Portuguese version "a ser julgada" would not bear that interpretation, but simply meant "bringing a vessel to be judged." Her Majesty's Commissioner then pointed out to his Excellency in Article VII of Annex B, that in cases where vessels have not been condemned as legal prize, and the captors have been condemned to make compensation, that the injured party would be entitled "to a just and complete indemnification for all costs of suit," and he contended that if the owners were in such cases entitled to all costs of suit, the captors should be entitled to the same; and maintained that there was a manifest injustice in the Portuguese Government receiving a clear moiety of the proceeds, leaving the heavy law expenses to be borne by the captors.

The Acting Commissioner of His Most Faithful Majesty admitted that what Her Majesty's Commissioner advanced appeared to him to be reasonable, but as no precedent existed for allowing the amount, and no claim of a like nature had ever been made, he must refer the question home.

Her Majesty's Commissioner has been requested by Commander Hoskins to pay the Proctor's fees, amounting to 100*l.*, when he shall have received the share accruing to the captors; in the event, therefore, of the former's opinion of the case being found to be correct, His Most Faithful Majesty's Government will have to refund 50*l.*

Even putting aside all question of interpretation of the words of a Treaty, I would appeal to your Excellency's enlightened judgment and ask you whether it would not appear unfair and unreasonable that the whole of the heavy law expenses on the part of the prosecution, in cases of this description, should fall on the captors, and that the Government whose duties have been of a very negative description should receive a larger amount than those who have had all the anxiety and annoyance.

In addition to such considerations also, I have the honour to inform your Excellency that the matter at issue between the Commissioners of Great Britain and Portugal has been referred by Her Majesty's Government to the legal adviser of Her Majesty's Treasury upon Slave Trade matters, and that the opinion of that gentleman, as furnished to Her Majesty's Government, and in which Her Majesty's Government fully concur, is that subject to the taxation of the Court as regards amount, the Proctor's fees should be paid out of the proceeds accruing from the sale of the prize before such proceeds are divided between the two Governments; for although such a course of proceeding would not appear to have been hitherto adopted in cases coming for adjudication before the Mixed Commissioner Court at Loanda, it has been established in the Mixed Commission Court at the Cape of Good Hope, and it seems so fair and equitable a mode of proceeding that Her Majesty's Government cannot doubt that the Government of His Most Faithful Majesty will, upon consideration, take the same view of the case as Her Majesty's Government, and will give instructions accordingly to their authorities at Loanda.

In conclusion, I have to request that your Excellency will inform me of the decision

that may be come to by the Government of His Most Faithful Majesty in this matter, in order that Her Majesty's Government may be enabled to send such instructions as may be necessary to Her Majesty's Commissioner at Loanda.

I have, &c.
(Signed) ARTHUR C. MAGENIS.

No. 123.

Sir A. Magenis to Earl Russell.—(Received April 4.)

My Lord,

Lisbon, March 24, 1864.

I HAVE the honour to inclose herewith copy of the note which, in obedience to the instructions contained in your Lordship's despatch of the 8th instant, and of this series, I addressed to the Duke de Loulé, protesting against the sentence of acquittal of the crew of the condemned slave-vessel "*Laura*" which was pronounced by the Tribunals of 1st and 2nd Instance at Loanda.

I have, &c.
(Signed) ARTHUR C. MAGENIS.

P.S., March 26.—Since writing the above I have received the note from the Duke de Loulé, of which I have the honour to inclose a translation, expressive of his Excellency's intention of communicating the contents of my note above referred to, to the Minister of Marine.

A. C. M.

Inclosure 1 in No. 123.

Sir A. Magenis to the Duke of Loulé.

M. le Ministre,

Lisbon, March 15, 1864.

THE Government of His Most Faithful Majesty are doubtless aware that verdicts of acquittal have been delivered by the Tribunals of 1st and 2nd Instance at Loanda in the case of the crew of the Portuguese brigantine "*Laura*," condemned in the Mixed Commission Court at that place, on a charge of being equipped for the Slave Trade, upon the 17th March, 1863.

It is worthy of remark in this case that when the "*Laura*" arrived at Loanda for adjudication there was at the time no British Representative in the Mixed Commission Court established in that city, Mr. Gabriel, the British Commissioner, having died a short time previously, and the Court was therefore, in accordance with the stipulations of the Treaty of 1842 between Great Britain and Portugal for the suppression of the Slave Trade, composed entirely of Portuguese officers. It may fairly be inferred, therefore, that if there had been any doubts as to the illegal nature of the voyage on which the "*Laura*" was engaged, the parties interested in her would have had the benefit of such doubts; but the evidence against the vessel was too strong to admit of any doubts on this point, and the "*Laura*" was accordingly condemned, and her crew handed over to the proper authorities to be dealt with in accordance with the provisions of the Portuguese laws.

The Government of His Most Faithful Majesty are doubtless also in possession of the appeal of the Procurador Regio to the Supreme Court at Lisbon against these verdicts of acquittal, drawn up with so much clearness and ability, founded upon such excellent arguments, and proving, in opposition to the opinion of the Tribunals above referred to, the guilty knowledge of the crew of the "*Laura*" without any manner of doubt.

I have the honour to state that I have been instructed by Earl Russell, Her Britannic Majesty's Secretary of State for Foreign Affairs, to bring this case to your Excellency's knowledge, and to express the hope of Her Majesty's Government that no effort will be spared by the Government of His Most Faithful Majesty to procure the punishment of the crew of the "*Laura*" and the parties engaged in this slave-trading transaction.

It appears from the proceedings in this case that the "*Laura*" on the voyage on which she was captured cleared from Havana, and that her owner, a Portuguese subject named José Lucas, gave the usual bond there to the Portuguese Consul that the vessel should not be engaged in the Slave Trade.

Her Majesty's Government do not doubt that the Government of His Most Faithful Majesty have taken the necessary steps to have these bonds estreated, and I am instructed

to request your Excellency to inform me whether any such measures have been taken, as well as of the result of the appeal of the Procurador Regio at Loanda.

I avail, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure.2 in No. 123.

The Duke of Loulé to Sir A. Magen.

(Translation.)

Foreign Office, Lisbon, March 23, 1864.

I HAD the honour to receive the note which you were pleased to address to me under date of the 15th instant, in which, with reference to the condemnation of the Portuguese brigantine "*Laura*," pronounced by the Mixed Commission Court at Loanda, a request is made that such steps as might appear necessary should be taken, in order that the crew and others implicated in the operations of that vessel should meet with due punishment, and also that you might be furnished with certain information on this subject.

I am about to communicate the contents of your said note to the Minister of Marine and for the Colonies, and you will be duly informed of his Excellency's reply.

I avail, &c.

(Signed) DUKE OF LOULE.

No. 124.

Earl Russell to Sir A. Magen.

Sir,

Foreign Office, April 5, 1864.

I HAVE received your despatch of the 11th ultimo, forwarding a despatch sent to you under flying seal by Her Majesty's Commissioner at Loanda, relative to the Slave Trade which is carried on from the Portuguese possessions in the neighbourhood of Benguella, and I have to acquaint you that I approve of your having communicated the substance of Mr. Vredenburg's despatch to the Portuguese Government.

You will express the deep regret of Her Majesty's Government that the export of slaves from the Portuguese possessions on the West Coast of Africa, which for several years past had been, as Her Majesty's Government have every reason to believe, entirely put a stop to, should be permitted by the Portuguese authorities again to be resumed, and you will require that a strict inquiry be made into these slave-trading transactions, and that steps be taken to prevent their recurrence.

I am, &c.

(Signed) RUSSELL.

No. 125.

Earl Russell to Sir A. Magen.

Sir,

Foreign Office, April 8, 1864.

WITH reference to your despatch of the 11th of November last, forwarding a despatch of the 1st of September last from Mr. Vredenburg, inclosing copies of his further correspondence with the Portuguese authorities at Loanda upon the subject of the continuance of the practice of exporting blacks to the Island of St. Thomas under the name of libertos, I transmit to you a copy of a further despatch from that gentleman,* reporting the result of his inquiries respecting the disposal of the blacks found by the officer in command of Her Majesty's ship "*Zebra*," on board the brig "*Julio*."

I am, &c.

(Signed) RUSSELL.

No. 126.

Sir A. Magenis to Earl Russell.—(Received April 26.)

My Lord,

Lisbon, April 16, 1864.

I HAVE the honour to transmit herewith to your Lordship copy of the note which, in conformity with the instructions contained in your Lordship's despatch of the 5th instant, I addressed to the Duke of Loulé, expressing the regrets of Her Majesty's Government at the continued exportation of negroes from the Portuguese Possessions on the West Coast of Africa.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 126.

Sir A. Magenis to the Duke of Loulé.

M. le Ministre,

Lisbon, April 13, 1864.

WITH reference to the subject of the Traffic in Slaves which is still carried on from the Portuguese Possessions in the neighbourhood of Benguela, I have the honour to inform your Excellency that I lost no time in forwarding to Earl Russell, Her Majesty's Principal Secretary of State for Foreign Affairs, the despatches transmitted to me under flying seal by Her Majesty's Commissioner at Loanda on the 8th of March last, and to which I particularly alluded during the interview which I had the honour of holding with your Excellency upon the 10th of the same month.

I have consequently received the instructions of Earl Russell to express to your Excellency the deep regret of Her Majesty's Government that the export of slaves from the Portuguese Possessions on the West Coast of Africa, which for several years past had been, as Her Majesty's Government have every reason to believe, entirely put a stop to, should be permitted by the Portuguese authorities again to be resumed, and also earnestly to request that a strict inquiry be made into these slave-trading transactions; and that steps be taken to prevent their recurrence.

I avail, &c.

(Signed) ARTHUR C. MAGENIS.

No. 127.

Sir A. Magenis to Earl Russell.—(Received April 26.)

My Lord,

Lisbon, April 16, 1864.

I HAVE the honour to transmit herewith a translation of a Law which appeared in the official Gazette of the 8th instant, by which the tax of 400 reis (1s. 10d.) hitherto levied upon able-bodied male slaves, and of 200 reis (11d.) upon female slaves, in the Island of Principe, has been reduced to 200 reis (11d.) upon male slaves and 100 reis (5½d.) upon female slaves.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 127.

Law reducing the Tax on able-bodied Slaves in Prince's Island.

(Translation.)

DOM LEWIS, by the grace of God, King of Portugal and of the Algarves, &c.

We make known to all our subjects that the General Cortes have decreed the following Law, which we sanction:—

Article 1. In Prince's Island (Ilha do Principe) the amount of the tax which was imposed upon able-bodied slaves in the Ultramarine Provinces by the Decree of the 28th of August, 1858, shall be the same as that which is laid down in the Decree above mentioned for the Province of Mozambique and for the Island of Timor.

Art. 2. All legislation to the contrary is hereby revoked.

We command, therefore, all the authorities whom the knowledge and execution of this Law may concern to comply with the same, and to enforce the compliance and observance of the same exactly as is contained therein.

The Minister and Secretary of State for the Marine and Ultramarine Department shall have it printed, published, and circulated.

Given at the Palace of the Ajuda, on the 5th of April, 1864.

(Signed)

THE KING.

(Countersigned)

JOSE DA SILVA MENDES LEAL.

No. 128.

Sir A. Magenis to Earl Russell.—(Received May 5.)

My Lord,

Lisbon, April 25, 1864.

WITH reference to my despatch of the 16th instant, I have the honour to transmit herewith to your Lordship translation of a note which I have received from the Duke of Loulé in reply to my note to his Excellency respecting the continued exportation of negroes from the Portuguese possessions on the West Coast of Africa.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 128.

The Duke of Loulé to Sir A. Magenis.

(Translation.)

Foreign Office, April 19, 1864.

I HAD the honour to receive the note which you were pleased to address to me on the 13th instant, requesting that the proper inquiries should be made into the Slave Trade operations said to be carried on in the Portuguese possessions on the West Coast of Africa, and that measures be taken to prevent the continuation of that Traffic.

Having communicated the contents of your note to the Minister of Marine, I hope to be able shortly to give you an answer on this subject.

I renew, &c.

(Signed) DUKE OF LOULE.

No. 129.

Sir A. Magenis to Earl Russell.—(Received May 13.)

My Lord,

Lisbon, May 5, 1864.

WITH reference to my despatch of the 24th of March last, I have the honour to inclose herewith, in translation, a note which I have received from the Duke de Loulé, by which your Lordship will perceive that His Most Faithful Majesty's Government decline to interfere in the proceedings connected with the sentence of acquittal pronounced at Loanda upon the crew of the condemned slave-vessel "*Laura*," now pending in the Superior Courts, or to endeavour to exercise any influence upon the decision of the judicial authorities.

His Excellency also states that the surety must be made responsible for the bond which he gave that the "*Laura*" should not be employed for slave-trading purposes, and that instructions to that effect have been sent to the Portuguese Consul-General in the Havana.

With regard to the state of the proceedings in the appeal from the sentence of acquittal, his Excellency states that the process has been filed before the Supreme Court of Justice, and has been made over to the Public Prosecutor for examination.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 129.

The Duke of Loulé to Sir A. Magenis.

(Translation.)

Foreign Office, Lisbon, May 2, 1864.

IN the note which you were pleased to address to me on the 15th of March last, with respect to the capture of the Portuguese brigantine "*Laura*," equipped for the Slave

Trade, you request, by order of your Government, that steps may be taken to procure the due punishment of the crew of that vessel, and of the other parties implicated in that transaction; that the bond given by the owner of that vessel to the Portuguese Consul in the Havana should be estreated; and, in fine, that you might be informed of the result of the Appeal lodged before the Supreme Court of Justice by the delegate of the King's Attorney-General (Procurador Regio) at Loanda from the sentence of acquittal of the crew of the said vessel given by the Courts of that city.

In reply, it is my duty to state to you that the Minister of Marine and for the Colonies, to whom I had communicated the contents of your note, informs me that, as far as regards the punishment of the criminals, the affair is pending the decision of the judicial power, with whose functions His Majesty's Government cannot interfere, and consequently it must necessarily follow the course which may be determined upon by the proper Courts of Justice.

With respect to the bond said to have been given by the owner of the vessel, since it has been proved that she was equipped for the Slave Trade, in consequence of the sentence which declared it to be a good prize, the surety must be made responsible for his bond, and the necessary orders to this effect have been accordingly sent to the Consul-General of Portugal in the Havana.

With respect to the state of the proceedings in the Appeal which was put in from the sentence of acquittal, the Minister of Marine says, that it appears from a despatch received from the Department of Justice, that the process had been filed before the Supreme Court of Justice on the 10th of February last, and is at present in the hands of the representative of the Public Prosecutor for him to examine the same.

In acquainting you with the above for the information of your Government, I avail, &c.

(Signed) DUKE OF LOULE.

No. 130.

Sir A. Magenis to Earl Russell.—(Received May 27.)

My Lord,

Lisbon, May 19, 1864.

WITH reference to my despatch of the 16th ultimo, I have the honour to transmit herewith to your Lordship a translation of a note which I have received from the Duke de Loulé, by which your Lordship will perceive that the Governor-General of Angola has been desired to report upon the exportation of negroes said to have been resumed upon the West Coast of Africa, as well as to use his best endeavours to prevent its continuance.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 130.

The Duke of Loulé to Sir A. Magenis.

(Translation.)

Foreign Office, Lisbon, May 9, 1864.

THE Minister of Marine, to whom I had communicated the note which you were pleased to address to me on the 13th of April last, respecting the Slave Trade operations which are said to have been resumed on the West Coast of Africa, informs me in a despatch of the 30th of that month, that he had directed the Governor-General of the Province of Angola at that date to report upon the subject, and to prevent, by all the means in his power, the continuance of that unlawful Traffic.

I renew, &c.

(Signed) DUKE OF LOULE.

No. 131.

Earl Russell to Sir A. Magenis.

(Extract.)

Foreign Office, May 31, 1864.

I TRANSMIT to you herewith copies of two despatches from Her Majesty's Commissioner at Loanda, reporting the capture of two vessels fully equipped for the Slave

Trade off the coast of the Portuguese Possessions in Angola, and I also inclose a copy of a despatch which I have addressed to Mr. Vredenburg on the subject of these captures.*

There can be little doubt but that a considerable export Traffic in Slaves has been lately carried on from the Portuguese Possessions on the West Coast of Africa, and the only way to put a stop to it will be by expelling the offenders from the Portuguese territories.

You will make known the opinion of Her Majesty's Government on this subject to the Portuguese Minister.

No. 132.

Sir A. Magenis to Earl Russell.—(Received June 3.)

My Lord,

Lisbon, May 25, 1864.

I HAVE the honour to transmit herewith to your Lordship a translation of an official correspondence respecting the circumstances under which the Portuguese ship "Zaire" was boarded and examined by Her Majesty's ships "Snipe" and "Sparrow," on the 20th February last.

The said correspondence was published in accordance with a resolution adopted by the Chamber of Deputies, and appeared in the official Gazette of the 21st instant.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 132.

Extract from the "Diario de Lisboa" of May 21, 1864.

(Translation.)

THE following documents are published in accordance with the Resolution passed by the Chamber of Deputies :—

*"Department for the Navy and Colonies, 2nd Direction,
"2nd Division, April 23, 1864.*

"Most Illustrious and Excellent Sir,

"In reply to the letter which you were pleased to address to me on the 19th instant, with reference to the motion of Senhor Deputy Jozé Maria Sieuve de Menezes, requesting that all the documents relating to the boarding of the steamer 'Zaire' by English cruisers should be transmitted to the Chamber of Deputies, I have the honour to forward to your Excellency the inclosed copies of the despatches on this subject which have been received in this Department; and it is my duty to add that I wrote immediately to the Foreign Department in order that a complaint might be made to the British Government against the irregular and discourteous manner in which that vessel was boarded by the aforesaid cruisers.

"God preserve, &c.

(Signed)

"JOSE DA SILVA MENDES LEAL.

"To the Most Illustrious and Excellent Miguel Ozorio Cabral,

"Deputy and Secretary."

"Most Illustrious and Excellent Sir,

"Loanda, March 6, 1864.

"I have the honour to transmit to your Excellency, in order that you may be able to decide upon the best course to follow, the inclosed copy of a despatch which was addressed to me on the 3rd instant by the captain of the União Mercantil Company's steamer 'Zaire,' in which he complains of having been twice boarded by the English steamers of war 'Snipe' and 'Sparrow,' during his voyage to the south, and of the irregular manner in which the boarding was carried out. Upon this subject, I must state to your Excellency that I think that the British Commodore is not aware of these facts, as I know that the ship under his command treats even small vessels with all due attention; and therefore I am waiting for his arrival at this port to speak to him about this matter.

"God preserve, &c.

(Signed)

"JOSE BAPTISTA D'ANDRADE, Governor-General.

"To the Most Illustrious and Excellent Sir the Minister and

"Secretary of State for the Navy and Colonies."

"Most Illustrious and Excellent Sir, "On board the steamer 'Zaire,' March 3, 1864.

"I have to inform your Excellency of two events which happened to me on meeting two British cruizers during my voyage to and return from Benguella, on board the Portuguese steam-packet 'Zaire,' under my command, and belonging to the Royal União Mercantil Company, which events I thought never could have occurred with respect to the ships of a Packet Company, to which His Most Faithful Majesty has entrusted the carrying of the mails of the Government, and upon which he has conferred the title of 'Royal.'

"On the 20th of February last, whilst steering to the south, I descried at my bows, but somewhat to leeward, a vessel steering northwards under steam and sails, which hoisted the British flag, upon which I immediately hoisted the Portuguese flag, and the distinguishing flag of this Company. It came afterwards to my knowledge that that steamer was the 'Snipe.' When we came within a very short distance that vessel worked to windward, and, passing close to my jib-boom, again pursued her course to the north. There was no necessity whatever for that manœuvre on the part of that vessel, inasmuch as it is considered by sailors to be uncivil, and, in this case, it showed the bad feeling which dictated it. Although she came within hail she did not speak us, nor did I see any signal or sign to show that she intended to board me, and she continued to steer on the opposite course to mine. When she was at the distance of a mile or a mile and a-half abaft, she spread her canvas, turned to the south, and fired a gun, upon which I immediately ordered the engines to be stopped. As soon as the visiting officer came on board, I observed to him that if it had been his intention to visit this steamer, he ought to have stopped or stood athwart at a proper distance, so as not to delay my voyage. He replied that I was the cause of the delay, because it was my duty to lay-to as soon as I chanced to come in sight of an English steamer of war. Even if this principle were admissible, it would be a source of great inconvenience to the Royal União Mercantil Company, because its ships would have to be constantly stopping and delaying their voyages along the coast, where so many British cruizers are to be seen and met with.

"The other occurrence took place during my voyage from Benguella to this port, with the British steamer of war 'Sparrow,' which boarded me on the 1st instant. After the ship's papers had been shown to the boarding officer, and having consequently proved to him that this steamer was a packet carrying the mails of the Government, he ordered the insulting act of searching this vessel to be carried out, under the suspicion of its being engaged in the Slave Trade. After the search he requested to see all the passengers, and ordered the interpreter whom he had brought with him to examine them, asking them who and what they were, where they were coming from and where they were going; but I made the remark to him that he could not demand anything further than was allowed by the Treaties, which did not give him the right to make this inquiry on board a ship which had exhibited its papers in legal form, and whose passengers were provided with proper passports. These ships are well known to all the cruizers on this coast; and after having proved the lawful character of the vessel by means of the proper documents, it is very hard to be obliged to delay the voyage for no purpose, and to submit to an examination and search which can only be considered as a malicious act; such delays being a source of loss to the Company and of inconvenience to the passengers, by forcing them to show themselves as often as it may please the cruizers whom they may meet with.

"It is my duty to report the above-mentioned facts to your Excellency, and to request you to take such steps as you may think proper to prevent British cruizers from interfering with and stopping these ships, and causing their voyages to be thereby delayed and retarded.

"God preserve, &c.

(Signed)

"J. M. DE FREITAS BRANCO,

"Captain of the steamer 'Zaire.'

"To the Most Illustrious and Excellent Sir,

"the Governor-General of the Province of Angola."

No. 133.

Sir A. Magenis to Earl Russell.—(Received June 3.)

My Lord,

Lisbon, May 25, 1864.

WITH reference to my despatch of the 24th of March last, I have the honour to transmit to your Lordship translation of a note which I have received from the Duke de Loulé, by which your Lordship will perceive that the Portuguese Commissioner at Loanda has been instructed to conform to the opinion expressed by Her Majesty's Commissioner,

CLASS B.

X

that the proceeds of the sale of the condemned slave-vessel "*Laura*" should be divided between the two Governments after deducting all expenses attending the same, which may have been acknowledged as legal by the Mixed Commission Court.

I have, &c.
(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 133.

The Duke of Loulé to Sir A. Magenis.

(Translation.)

Foreign Office, Lisbon, May 23, 1864.

I HAVE before me the note which you were pleased to address to me on the 15th of March last, acquainting me with the instructions which you had received from your Government with respect to the difference of opinion which had arisen between the Commissioners of Portugal and Great Britain, in the Mixed Commission Court established at Loanda, on account of the suit in the case of the Portuguese vessel "*Laura*," condemned by that Court.

I read the contents of your note with all due attention, and, in reply to the same, I have the honour to state to you that, according to the rules laid down in the IInd and VIth Articles of Annex B to the Treaty of July 3, 1842, I think there can be no doubt as to the manner in which the expenses of the suit in question, or of any other of a similar nature, should be paid.

Under these circumstances I wrote on the 17th instant to the Portuguese Commissioner, informing him that, in accordance with the two Articles above mentioned, the nett proceeds of the sale of the vessel "*Laura*," her material and cargo, shall be divided between the two Governments, after deducting all the expenses which may have been acknowledged as legal by the Mixed Commission Court, and as such, included in the words "all disbursements," consigned in the aforesaid Article II.

While thus complying with the wishes which you expressed in the name of your Government, I avail, &c.

(Signed) DUKE OF LOULE.

No. 134.

Earl Russell to Sir A. Magenis.

Sir,

Foreign Office, June 8, 1864.

I TRANSMIT herewith, for your information, a copy of a despatch from Her Majesty's Commissioner at Loanda,* reporting that Commander João Baptista Garcão, the Senior Officer of the Portuguese squadron on the West Coast of Africa, has, since his arrival on the coast, shown considerable energy and activity in the suppression of the Slave Trade.

I am, &c.
(Signed) RUSSELL.

No. 135.

Earl Russell to Sir A. Magenis.

Sir,

Foreign Office, June 8, 1864.

WITH reference to my despatch of the 31st ultimo, I inclose, for your information, copies of further papers, as marked in the margin,† relative to the Slave Trade carried on from the Portuguese possessions to the southward of St. Paul de Loanda.

I am, &c.
(Signed) RUSSELL.

* Class A, No. 72.

† Ibid., Nos. 72 and 73.

No. 136.

*Earl Russell to Sir A. Mageniz.*Sir, *Foreign Office, June 8, 1864.*

I TRANSMIT to you herewith, for your information, copies of a letter and its inclosures from Rear-Admiral Sir B. Walker,* which have been communicated to me by the Lords Commissioners of the Admiralty, relative to the settlement of a claim made by the Portuguese authorities at Mozambique for the destruction of a small schooner in Fernan Veloso Bay on the 28th of May, 1863, by Lieutenant J. Houghton, of Her Majesty's ship "Orestes," on suspicion of her being engaged in the Slave Trade.

As no complaint on this subject has been made by the Portuguese Government, it will not be necessary that you should make any communication in the matter to the Government of Lisbon; but I nevertheless think it right that you should be in possession of the facts of the case in the event of its being mentioned to you.

I am, &c.
(Signed) RUSSELL.

No. 137.

*Earl Russell to Sir A. Mageniz.*Sir, *Foreign Office, June 23, 1864.*

I TRANSMIT to you copies of a letter and its inclosures from Sir B. Walker to the Secretary to the Admiralty,† relative to a complaint which has been made by the Governor-General of Mozambique, in consequence of Captain Gardner, of Her Majesty's ship "Orestes," having continued to search the Spanish barque "*Duque de Tetuan*" on suspicion of her being engaged in the Slave Trade, after that vessel's arrival within the jurisdiction of the Portuguese flag in the outer roads of Mozambique.

Captain Gardner was unquestionably wrong in continuing the search of the "*Duque de Tetuan*" after she had arrived in Portuguese waters, and although there is every reason to believe that he would have been justified in seizing this vessel, and sending her to a port of adjudication, yet as he did not adopt this course, he ought either to have completed her search or to have quitted the Spanish vessel before she arrived within Portuguese jurisdiction.

You will see that Captain Gardner's conduct in this affair has been disapproved by the Admiral on the Cape station; and Her Majesty's Government do not doubt that the Government of His Most Faithful Majesty will accept this prompt disavowal of Captain Gardner's proceedings as a sufficient apology for the unintentional violation by that officer of the neutrality of Portuguese waters.

I am, &c.
(Signed) RUSSELL.

No. 138.

*Earl Russell to Sir A. Mageniz.*Sir, *Foreign Office, June 30, 1864.*

I TRANSMIT herewith, for your information, copies of a note and its inclosures, which I have received from the Portuguese Minister at this Court, complaining of the conduct of the Commanders of Her Majesty's ships "Snipe" and "Sparrow," for overhauling and searching the Portuguese packet "Zaire," off the African coast, on the 20th of February and 1st of March last; and I also inclose a copy of my reply to the Portuguese Minister's note.

I am, &c.
(Signed) RUSSELL.

Inclosure 1 in No. 138.

Count Lavradio to Earl Russell.

(Translation.)

Excellency,

London, June 6, 1864.

I HAVE the honour to forward the inclosed extract from a communication which the Commander of the Portuguese packet "Zaire," addressed to the Governor-General of

* Class A, No. 157.

† Ibid., No. 154.

Angola, informing him of the strange manner in which he had been treated by the Commanders of the British war-steamers "Snipe" and "Sparrow."

In the conduct of the Commander of the "Snipe," your Excellency will notice discourtesy and arrogance, and a great impropriety in unnecessarily detaining a vessel which carried the correspondence of His Most Faithful Majesty's Government, and which was engaged in trade admitted to be lawful.

The conduct of the Commander of the "Sparrow" appears to be even more reprehensible than that of the Commander of the "Snipe."

The right of search is not an absolute right, but one subject to certain rules contained in the Treaty of the 3rd July, 1842, which were certainly not observed by the Commander of the "Sparrow."

Article II of that Treaty only authorizes cruisers to search vessel "which are suspected, upon reasonable grounds, of being engaged in carrying negroes," &c.

I would ask if there could be a reasonable foundation for suspecting that the well-known packet "Zaire," engaged in conveying the correspondence of the Government, would be employed in the Traffic in Negroes?

Article IX of the Treaty, in declaring what the objects are which, found on board of any ship, give a right to the cruisers to detain her, does not authorize, directly or indirectly, the interrogatory of passengers, which was unduly put in practice by the Commander of the "Sparrow."

It would be very expedient for the cruisers to have always before them the provisions of Article II of the Annex A; but as, unfortunately, the Commanders of the "Snipe" and "Sparrow" appear not to have known, or to have forgotten, as well the provisions of this last-mentioned Article as of the other two Articles II and IX, also mentioned already, I am obliged, in obedience to superior orders which I have received, to claim of Her Britannic Majesty's Government the application to the Commanders of the British war-steamers "Snipe" and "Sparrow" of the provisions of Article VIII of the Treaty of the 3rd of July, 1842, and the issue of orders necessary to prevent the repetition of acts like those which are detailed.

I take, &c.
(Signed) . . . LAVRADIO.

Inclosure 2 in No. 138.

Commander Branco to the Governor-General of the Province of Angola.

(Translation.)

On board the steamer "Zaire," March 3, 1864.

I HAVE to make known to your Excellency two facts which took place with two British cruisers in my passage to and return from Benguella, on board the Portuguese packet "Zaire," under my command, and the property of the Royal Company, the Mercantile Union, such as I never thought could have taken place with the ships of a Packet Company, to which His Most Faithful Majesty has been pleased to entrust the conveyance of the mails of his Government, and which he honoured with the title of Royal.

On the 20th February last I was sailing southward, and I saw on the prow, but somewhat to leeward, a vessel coming northward, under sail and steam, with the English flag hoisted. I immediately hoisted the Portuguese flag, and the signal distinguishing this Company. I understood subsequently that this ship was the "Snipe." When we came within a small distance that vessel turned to windward, crossing under my bows (?) and then again went on to the north. There was no need whatever for the ship's executing such a manœuvre, which is considered among sailors as an uncivil thing, and in this case it showed a malicious intention. Although she passed within speaking distance, she said nothing to me, nor did I see any signal or any indication that she intended to search me, but kept on upon a course opposite to that which I followed. When she was at a distance of a mile or mile-and-half to my stern she clapped on sail, veered to the south, and fired a gun, commanding me to stop the machine. When the searching-officer came up, I observed to him, that if he intended to search this steamer he ought to have stopped, or kept at a convenient distance, so that my voyage might not be delayed. He answered me that I was to blame for the delay, because it was my duty to stop as soon as I sighted an English ship of war! If such a principle were admissible, it would be a great inconvenience to the Royal Company of the Mercantile Union, because its ships would continually be obliged to stop, and to delay their voyages here on the coast, where they saw or met so many English cruisers.

Another affair took place in my voyage to Benguella for this port, with the English war-steamer "Sparrow," which searched my ship on the 1st instant. After having shown the ship's papers to the searching officer, and consequently proved that this steamer was a packet carrying the Government mails, he performed the contumelious act of commanding a search to be made, suspecting that the ship was engaged in the Slave Trade. After the search he demanded to see all the passengers, ordering an interpreter whom he brought with him to interrogate them, asking them who and what they were, whence they came, and where they were going.

I observed to him that he could demand only what was prescribed by the Treaties, which gave him no right to make such inquiries on board a ship which carried lawful papers, and whose passengers were provided with passports.

These ships are well known by all the cruisers of this coast, and after having proved to him the lawful character of the ship by the competent papers, it is sufficiently disagreeable to have to delay the voyage unnecessarily, and to be subjected to examinations and searches, which can be considered only as malicious, the consequences of these stoppages being prejudicial to the Company, and inconvenient to the passengers, who are compelled to show themselves whenever it pleases the cruisers who meet them.

(Signed) J. M. DE FREITAS BRANCO, *Commander.*

Inclosure 3 in No. 138.

Earl Russell to Count Lavradio.

M. le Comte,

Foreign Office, June 29, 1864.

I HAVE the honour to acknowledge the receipt of your letter of the 6th instant, together with its inclosures, complaining of the conduct of the Commanders of Her Majesty's ships "Snipe" and "Sparrow," in overhauling and searching the Portuguese packet "Zaire," off the African coast on the 20th of February and 1st of March last.

I beg leave, in reply, to acquaint you that I will request the Lords of the Admiralty to call upon the Commanders of the two vessels in question for reports of what passed on the occasions which have given rise to your complaint, on the receipt of which I shall have the honour of further addressing you on the subject; but in the meanwhile I think it my duty to state that I can see nothing in the proceedings of the Commanders of the "Snipe" and "Sparrow," as reported in the communication from the Captain of the "Zaire" which accompanied your note, that would induce me to concur with you in denouncing the conduct of those officers as arrogant and discourteous.

It may probably not be known to you that the slave-dealers now employ steam-vessels to carry on their nefarious Traffic, and that these vessels are painted and rigged to resemble the English and Portuguese mail-packets.

Under these circumstances it is the duty of the Commanders of Her Majesty's cruisers employed in the suppression of the Slave Trade to satisfy themselves that the steam-vessels they may fall in with are *bonâ fide* employed in legitimate trade, and Her Majesty's Government would not feel themselves justified in giving directions that exception should be made in favour of vessels hoisting the Portuguese flag or the Portuguese packet signal.

With regard to the statement that the Commander of the "Sparrow" performed the contumelious act of searching the "Zaire" and that he subsequently mustered and interrogated the passengers, I would beg leave to observe that the vessels belonging to the Company that own the "Zaire," have been in the habit of carrying libertos, or so-called free negroes, in considerable numbers from Loanda to the Island of San Thomé.

Some few of these manumitted slaves may doubtless have gone to San Thomé of their own free will, but the greater portion of the many hundreds who within the last few years have been shipped to that Island have, if the accounts which have reached Her Majesty's Government are correct, had very little choice in the matter, having been purchased from the slave-dealers, and furnished with manumission papers for the sole purpose of enabling them to be shipped as libertos to San Thomé. It is these libertos who are doubtless the passengers referred to by the master of the "Zaire" as having been interrogated by the Commander of the "Sparrow;" and if this assumption should turn out to be well founded, Her Majesty's Government must maintain that that officer was justified in ascertaining that the passengers were free agents, and that they were furnished with the necessary documents to prove that they were proceeding to San Thomé in accordance with the provisions of the Treaty, and this could only be done by interrogating the passengers—the course pursued by the British officer.

If the Portuguese packets have been subjected to inconvenience by being stopped

and searched by Her Majesty's cruisers, it must be remembered that it is entirely owing to the conduct of the commanders of those vessels, who have exposed themselves to that inconvenience by carrying slaves from the African coast to St. Thomé.

While, however, Her Majesty's Government have determined to use their utmost efforts for the suppression of the Slave Trade, and to support their officers employed in this onerous and disagreeable duty, I beg leave, at the same time, to assure you that the most stringent orders have been given to the officers employed on this service to carry out their duties in as courteous a manner and with as little delay to the visited vessel as possible; and Her Majesty's Government will always be ready to afford a prompt reparation and redress whenever it may be proved that British officers have exceeded or carried out their duties in an offensive or unbecoming manner.

I cannot conclude this note without availing myself of the opportunity of communicating to you the accompanying extracts of reports which have reached Her Majesty's Government relative to the Slave Trade carried on from the Portuguese Possessions to the southward of Loanda.

In a letter from Captain Bythesea of Her Majesty's ship "Archer," dated the 14th of January last, but which has only recently reached me, that officer reports as follows:—

"On arrival at Loanda in December, I learned by a letter from Little Fish Bay that seven cargoes of slaves had been shipped in the vicinity of Benguela during the past year."

In another letter from Captain Hoskins of Her Majesty's ship "Zebra," that officer also says:—

"On the coast south of Loanda, particularly in the neighbourhood of Novo Rodondo and Equimina, the Slave Trade has of late been revived, and I was informed by the Portuguese Governor of Little Fish Bay that six vessels had escaped during the past year."

I also inclose a copy of a despatch which I received a few days' since from Her Majesty's Commissioner at Loanda,* reporting that the Governor of Benguela had applied to be superseded, to avoid dismissal for his culpable negligence, to use no harsher term, in permitting the Slave Trade to be carried on, on so vast a scale, in the district under his jurisdiction.

The foregoing Reports have been confirmed by advices received by Her Majesty's Government from Cuba, of the arrival in that Island of several cargoes of slaves stated to have been shipped from the Portuguese Possessions on the West Coast of Africa.

It is this Traffic in Slaves from the Portuguese territories, which it is impossible can be carried on without the connivance of some of the authorities of the districts from whence the slaves are shipped, that causes suspicion against the Portuguese flag on the part of the Commanders of Her Majesty's cruisers, and this must continue to be the case so long as the Government of Portugal does not take effectual measures for carrying into effect the Treaty engagements of the Portuguese Crown for the suppression of the Traffic in Slaves.

I am, &c.

(Signed) RUSSELL.

No. 139.

Sir A. Magenis to Earl Russell.—(Received July 4.)

My Lord,

Lisbon, June 18, 1864.

WITH reference to my despatch of the 25th ultimo, I have the honour to inclose herewith to your Lordship in printed copy, together with a translation, a speech pronounced by the Minister of Marine in the Chamber of Deputies on the 1st instant, respecting the boarding of the Portuguese vessel "Zaire" by Her Majesty's ships "Sparrow" and "Snipe," and which appeared in the "Diario de Lisboa" of the 4th instant.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 139.

Extract from the Official Journal "Diario de Lisboa" of June 4, 1864.

Sitting of the Chamber of Deputies of the 1st of June, 1864.

(Translation.)

THE Minister of Marine said:—I have heard the question which has just been addressed to me by the illustrious Deputy, Mr. Sieuve de Menezes. In reply, I shall

give a frank statement of the facts, feeling sure that nothing more will be required for the due appreciation by Parliament of the conduct of the Government in this case.

In a despatch of the Governor-General of Angola dated the 6th of March, I received another despatch from the captain of the steamer "Zaire" of the União Mercantil Company.

From that despatch it appears that the steamer "Zaire," while actually conveying the Government mails on the African line, had been boarded by the steamer "Snipe" of the British Royal Navy; that the commander of the latter vessel had gone so far as to intimate to the captain of the "Zaire," "that it was his (the captain's) duty to lie to as soon as he sighted a British ship of war."

I need not state that the Government does not agree either with this mode of proceeding or with this manner of interpreting and executing the Treaty. (Cheers.)

Let me continue the narration of the facts: after the boarding of the vessel by the "Snipe," the "Sparrow," a steamer of war belonging to the same nation, appeared. The captain of the "Sparrow" went even further than the former officer. Having asked for and examined the legal papers of the vessel, to the correctness of which no objection was offered, he proceeded to search it; not satisfied with the search, he proceeded to question the passengers.

But such an interrogatory is not contained in the express letter of the Treaty, and constitutes a violation of the same, which has been observed on the part of Portugal in the strictest manner, and with the most loyal perseverance (cheers), without any regard for the onerous sacrifice which it entailed (cheers), struggling very often with serious difficulties, and exposing itself, in order to comply with the same, to painful conflicts, in which, to add to its anguish, it has found itself alone. (Loud cheering.)

The provisions of the Treaty are, as I have said, express on the subject. The IInd Article, I repeat, authorizes the boarding and searching, but that only in the case of vessels suspected upon reasonable grounds; and it is easy to decide whether a well-known packet is one of that class or not.

The IXth Article declares what constitutes a reasonable ground for suspicion.

In the IInd Article of Annex A to the same Treaty, the greatest moderation and every attention which ought to be observed between allied nations, is enjoined.

In fine, in the VIIIth Article it is laid down that, if any officer of any cruiser should deviate from the stipulations of the said Treaty, the Government which shall conceive itself to be wronged thereby, shall be entitled to demand reparation, it being the duty of the Government of the officer of the said cruiser to inflict a proper punishment upon him.

Such is the abridged account of the facts which have been communicated to me; and such are the duties assigned in the Treaty. It is easy to judge, from the official report, whether the British cruisers complied with the rules of prudence, moderation and courtesy, which are formally enjoined them.

This report was received in Lisbon on the 16th or 17th of April. On the 19th, two days after, I wrote to the Department for Foreign Affairs, communicating all these facts in detail, and stating the grounds taken from the provisions and letter of the Treaty to which I have alluded, for demanding a proper reparation, to which we are entitled in virtue of that Treaty. (Signs of applause.)

The Minister—This is what the Government has done, and I think it could not have acted differently. (Cheers.)

It is to be hoped that this claim will be duly attended to, as was the one respecting the violence committed by the steamer "Torch." We must trust to the wisdom and impartiality of the British Government, to the sincerity of its wishes, and to the efficacy of the means which it possesses of repressing these excesses so offensive to the dignity of a friendly country, so clearly opposed to the letter of the Treaty, and so flagrantly contrary to the usages and rules of public international law, which are held in respect by all civilized nations. Force has ceased to be the sole reason, and so powerful and enlightened a nation as England, which understands so well the salutary influence of public opinion when grounded on justice, will not certainly allow these principles of friendly intercourse, which are universally followed and accepted, to be violated and set aside in its name.

The answer to the representations made to the British Government on this subject being still pending, and as the negotiations thereon are being carried on through the department of my colleague, the Duke of Loulé, I do not consider myself authorized, for these two reasons, to make use of documents which do not advance this question any further, and do not emanate from the Department under my charge. I have concluded my observations. (Applause).

No. 140.

Sir A. Magenis to Earl Russell.—(Received July 4.)

My Lord,

Lisbon, June 18, 1864.

I HAVE the honour to inclose herewith to your Lordship, in copy and translation, a note which I have received from the Duke de Loulé, informing me of the appointment of M. Bernardo Soares Vieira da Motta, Judge of the Court of Second Instance of Loanda, to the office of Arbitrator in the Mixed Portuguese and British Commission Court, and of M. Antonio Casimiro d'Almeida, clerk of the aforesaid Court of Second Instance, to the office of clerk of the said Mixed Commission Court, in the room of M. Antonio Urbano Pereira de Castro.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 140.

The Duke of Loulé to Sir A. Magenis.

(Translation.)

Sir,

Foreign Office, Lisbon, June 11, 1864.

WITH reference to the note which I addressed to you on the 4th of January last, I have the honour to inform you that His Majesty the King was pleased to appoint by decrees dated the 1st instant, the Judge of the Court of Second Instance ("Relação") of Loanda, Bernardo Soares Vieira da Motta to the office of Arbitrator in the Mixed Portuguese and British Commission Court, established in that city in virtue of the Treaty of July 3rd, 1842, and the Clerk of the aforesaid Court of "Relação," Antonio Casimiro d'Almeida e Figueiredo to be Clerk to the said Mixed Commission Court, the same august Sir having been pleased, also under date of the 1st instant, to remove Antonio Urbano Pereira de Castro from the post of Clerk to that Commission Court, to which he had been appointed on the 18th of November, 1857.

Whilst requesting you to have the goodness to notify these appointments to Her Britannic Majesty's Government, it is my duty to inform you that I am about to issue the proper instructions, in order that those functionaries may be able to enter at once upon the discharge of their respective duties.

I avail, &c.

(Signed) DUKE OF LOULE.

No. 141.

Sir A. Magenis to Earl Russell.—(Received July 4.)

My Lord,

Lisbon, June 18, 1864.

I HAVE the honour to inclose herewith to your Lordship copy of a note which I have addressed to the Duke de Loulé, in conformity with the instructions contained in your Lordship's despatch of the 8th instant, setting forth the expediency, in the opinion of Her Majesty's Government, that all persons convicted of slave-trading should be expelled from the Portuguese possessions upon the West Coast of Africa.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 141.

Sir A. Magenis to the Duke of Loule.

M. le Ministre,

Lisbon, June 15, 1864.

I DID not fail to make Her Majesty's Government acquainted with the contents of your Excellency's esteemed note of the 9th ultimo, informing me that, in consequence of the repeated remonstrances addressed by this Legation to His Most Faithful Majesty's Government, respecting the Traffic in Slaves which is being carried on in the Portuguese possessions upon the West Coast of Africa, orders had been sent to the Governor-General of Angola to furnish a Report upon the subject, as well as to use his best endeavours to prevent the continuance of such proceedings.

The expediency of such a Resolution being adopted by His Most Faithful Majesty's Government has been further demonstrated by despatches lately received by Her Majesty's Government from Mr. Vredenburg, British Commissioner at Loando; and I have been instructed by Earl Russell, Her Majesty's Principal Secretary of State for Foreign Affairs, to make your Excellency acquainted with the opinion of Her Majesty's Government, that the only effectual way of putting a stop to the considerable export Traffic in Slaves, which has been lately carried on in the Portuguese possessions above referred to, would be by expelling the offenders from the Portuguese territory.

With respect to a brigantine captured by Her Majesty's ship "Griffon," in the latter part of the month of February last, there appears, according to information which had reached Mr. Vredenburg, to be little doubt but what she is the "*Venus*," a vessel brought before the Mixed Commission Court last year, and released by them.

In reporting to Her Majesty's Government the condemnation of the Spanish brigantine "*Virgen del Refugio*," captured whilst at anchor on the coast of Benguella, near the river Tassado, on the 26th of February last, by His Most Faithful Majesty's schooner of war "*Napier*," and which, like the "*Venus*" sailed from Cadiz; the former vessel having cleared for a coasting voyage, and the latter having destroyed her papers, Mr. Vredenburg refers to another case which had arisen, and which, as it would appear, was closely connected with that of the "*Virgen del Refugio*."

Although the law requires that no slaves shall be embarked without passports, great laxity exists in this respect as regards the small coasting craft. Shortly before the capture of the "*Virgen del Refugio*" a launch with twelve or fourteen negroes on board left Benguella for Egypto, near which place the brigantine was captured. The master of the launch was found on board, when she was detained, and the launch returned to Benguella. The captain of His Most Faithful Majesty's schooner of war "*Napier*" finding the matter suspicious, and considering that the evidence of the negroes on board the launch might be important on the trial of the brigantine, sent her to Loanda. On her arrival, many of the negroes on being examined, stated that they had just been purchased, and were even ignorant of the names of their owners. There is thus every reason to believe that they were intended for shipment on board the "*Virgen del Refugio*," and had been provided for that purpose by persons engaged in organizing the Slave Traffic, and resident within the Portuguese possessions; and it is to the expediency of all such persons being expelled from Portuguese territory, upon being convicted of any participation in such a detestable crime, to which Her Majesty's Government desire to direct the attention of the Government of His Most Faithful Majesty.

I avail, &c.

(Signed) ARTHUR C. MAGENIS.

No. 142.

Earl Russell to Sir A. Magenis.

Sir,

Foreign Office, July 8, 1864.

WITH reference to my despatch of the 8th ultimo, I inclose for your information copies of a correspondence, as marked in the margin, which has passed between the Portuguese Minister at this Court and myself, arising out of the destruction of the Portuguese vessel "*Estrella do Mar*" by the boats of Her Majesty's ship "*Orestes*," in the Bay of Fernam Velloso, on the 28th of May, 1863.

I am, &c.

(Signed) RUSSELL.

Inclosure 1 in No. 142.

Count Lavradio to Earl Russell.

(Translation.)

London, June 13, 1864.

ON the 28th May, 1863, the Portuguese vessel "*Estrella do Mar*," the property of Amad Gulano, a Portuguese subject, had sunk, or rather run aground, in the Bay of Fernam Velloso, a Portuguese possession to the northward of Mozambique. The crew of the vessel, with the exception of one man, was in the interior, engaged in cutting wood, which was intended for the cargo of the vessel. On the said 28th of May two English boats [launches], supposed to belong to Her Britannic Majesty's ship "*Orestes*," Captain Gardner, entered into the Bay of Fernam Velloso, and one of them went at once

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to the vessel, which, after being searched and measured by the two officers who commanded the boats, was burned by them, as was also the ship's pass and the Portuguese flag belonging to the vessel.

The inclosed document (No. 3) proves that the vessel "*Estrella do Mar*" was Portuguese.

Document No. 1, also inclosed, proves that the vessel was burned in a Portuguese possession.

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Most Faithful Majesty, has received orders to bring these facts to the knowledge of his Excellency the Earl Russell, &c., and to claim from Her Britannic Majesty's Government reparation for the offensive proceedings done by officers of the British Navy in the Bay of Fernam Veloso, as also indemnification to the said Portuguese subject, Amad Gulano, for the unjust burning of his vessel, and for other damages resulting therefrom.

Although Her Britannic Majesty's Government will have had already before it the protest which, on the 4th July, 1863, the Governor-General of Mozambique addressed to Rear-Admiral Walker upon the above-mentioned facts, yet the Undersigned asks to be allowed to send to his Excellency a copy of the said protest (document No. 3).

The Undersigned regrets very much to be obliged to make representations so repeatedly against the proceedings of British cruisers, and he also regrets that so little, or rather no attention is paid to the stipulations of the VIIIth Article of the Treaty of the 3rd July, 1842, concluded between His Most Faithful Majesty and Her Britannic Majesty. Under the pretext of preventing and of completely extirpating the infamous traffic in slaves, the British cruisers impede by every means the development of the lawful commerce of the Portuguese on the two coasts of Southern Africa; thus discouraging many undertakings which would be not only of great utility for trade, but which might powerfully concur to effect a speedy and radical extirpation of the traffic, and even of slavery itself.

The Undersigned, &c.

(Signed) LAVRADIO.

Inclosure 2 in No. 142.

Certificate.

(Translation.)

Captain of the Port and Inspector of the Arsenal.

AMAD GULANO says that for necessary purposes he requires a certificate of the register of the vessel "*Estrella do Mar*," for which he will return thanks.

Mozambique, July 3, 1863.

(Signature follows.)

(Signed)

ANTONIO MARIA GUEDES, *First Lieutenant of the Royal Navy, Inspector of the Arsenal, and Port Captain of Mozambique for His Most Faithful Majesty, whom God preserve, &c.*

I certify that on folio 16 verso of the Register Book of property the following Act is entered:—

"Act of Registration of the Portuguese vessel No. 16, called '*Estrella do Mar*,' the property of Amad Gulano. On the 16th of July, 1856, in the Port Captaincy of Mozambique, this present Act was issued, after measuring the Portuguese vessel No. 16 '*Estrella do Mar*,' of the burden of 29 tons 6 tenths, of 67 palms and 7 inches length, 19 palms 4 inches debora, and 7 palms 2 inches depth, Portuguese measure; has a beak-head and cutwater, stern with tiller (?), a false bulwark, open hatch on the deck, a stern half deck, of 14 palms 4 inches in length, and 16 palms 5 inches across; a foredeck of 14 palms 3 inches in length and 15 palms 4 inches across, 3 masts with 3 sails at yard-arm, and a jib. This vessel was built in the Little Cabaceira in the year 1856, and launched this year; the present owner being Amad Gulano, a Portuguese subject resident in this city, who ordered it to be built; the said vessel may therefore sail freely with Portuguese flag, having been built in territory belonging to the crown of the nation aforesaid. For proof thereof the Act of Registration is drawn up and signed by me and sealed with the seal of this department."

Captaincy of the Port of Mozambique. (Erat ut supra.)

(Signed)

MIGUEL MAXIMILIANO DA CUNHA,

Acting Port Captain.

Port Captaincy of Mozambique, July 4, 1863.

(Signed)

ANTONIO MARIA GUEDES, *Port Captain.*

Inclosure 3 in No. 142.

(Translation.)

Instrument of Justification issued by the Magistracy of the District of Mozambique, in favour, and at the request of, Amad Gulano.

Department of Marine and Colonies.—Magistracy of Mozambique.

I, DON LUIZ I., by the Grace of God, King of Portugal and of the Algarves and dominions, &c., do make known to all my justices in general, and to each in particular in their respective jurisdictions, districts, comareas, courts, or parishes, as also in my District Court of the Comarea of Mozambique, and in the archives of the notary who indites this, Vicente Xavier Lobo, that they do proceed and pass the due and legal terms in the acts of justification required by Amad Gulano, from which acts his right to proceed [autuação] may be seen and proved, the tenour whereof is as follows:—

No. 25. Year 1863. In the Law Court of Mozambique. Act of Justification required by Amad Gulano, for the burning of his vessel "*Estrella do Mar*," done by the English cruizer in the Bay of Fernão Velozo. Doctor Jozé Ignacio d'Alranches Garcia being judge, and Vicente Xavier Lobo, notary. Year of our Lord Jesus Christ 1863, and 30th June. I have done as required by Amad Gulano. This is what is contained in the said autuação, from which his petition may be seen and shown, the tenour of which is as follows:—

Amad Gulano says, as owner of the Portuguese vessel No. 16, called "*Estrella do Mar*," of 29 Portuguese tons burden, duly registered in the captaincy of this port; that, having been dispatched in the custom-house of the said city to cut wood in the Bay of Fernão Velozo, and being aground there without the crew, she was burned by the crew of two boats belonging to Her Britannic Majesty's war-steamer "*Orestes*," on the 28th day of May last, in the presence of the crews of three Portuguese boats mentioned below, which arrived there at the same time with the two British boats aforesaid, wherefore it is necessary to prove before you the following facts by the witnesses marked in the margin:—

If the burnt boat was or was not the said vessel "*Estrella do Mar*;" if the crew was absent, and why; if the cook of the said crew, who was on shore, was sick or asleep; if the said crew of the burnt vessel was in the bush cutting wood; if the crew of the said vessel came when the said British crew had already burned the vessel; if they saw there on the shore any wood already cut; if the said crew of the two British boats set fire to the said vessel, with all her papers, flags and appurtenances; if the said two British boats stayed there; if they asked any questions of Abdul Carimo Ali, the owner of the boat "*Manarasul*;"—and he asks you, the magistrate of this district, to be pleased to justify so far as is necessary, together with the Public Ministry, that which is inferred in the petition, calling the said witnesses; and also to pronounce sentence, and to direct that the said instrument may be delivered to him, &c. &c.

Mozambique, June 25, 1863.

(The signatures of several witnesses follow.)

(Signed) ABDULCARIMO ALI, Owner of the boat "*Manarasul*."
ASISI, of ditto.
CHUNCHAMALA, Master of the boat "*Salvador*."
AMICI, Master of the boat "*Brilhante*."

Nothing more is contained in the said Petition, which, being laid before my District Court of Mozambique, I have issued the despatch of the tenour following:—The necessary summons being sent, the interrogatory of the witnesses will take place on the 30th instant, at 10 A.M., at the Court of Audience.

Mozambique, June 25, 1863.

(Signed) ABRANCHES GARCIA.

These are the contents of the said despatch, by virtue whereof summonses were sent to the Public Ministry and to the witnesses, to appear on the day appointed in the said despatch, when the inquiries will be made of the witnesses of the following tenour:—

Done. On the 30th July, 1863, in this city of Mozambique, in the Court of Audience held by Doctor the Magistrate, Jozé Ignacio d'Abrantes Garcia, the ordinary matters of audience being terminated. being present the Petitioner, Amad Gulano, and the Delegate of the Procurator of the Crown and of the Treasury in the same, that is to say, the Treasury in this district, the Bachelor Gaetano de Souza Vasconcellos, the witnesses for the Petitioner were interrogated by the Magistrate in the following manner:—

First witness, Abdul Carimo Ali, native of Mozambique, thirty-three years of age, married, owner of the boat "Manarasul." Witness summoned, to whom the Magistrate administered oath upon the Koran, that he would speak the truth of what should be asked. Being asked on the contents of the preceding Petition, which was read to him, he replied to the first question, that towards the end of May last, he does not remember the precise day, as he was proceeding from the north southwards towards Fernão Veloso, navigating his boat "Manarasul," of which he is owner, he met on the sea a boat and a barge belonging to the English cruizers, fully manned, which searched the boat of the witness and went on to the Bay of Fernão Veloso, where the witness also was going. They went on to the shore, where on this occasion the boat of the Petitioner was lying dry, and there were also two other boats, one named "Salvador," belonging to the Moor Abduraman, of Little Cabaceira, and the other named "Brilhante," belonging to Nuno Alifá, of Little Cabaceira; the boat anchored farther from the shore, and the barge, which was commanded by two officers, went on to the Petitioner's vessel; they went into her and measured her, and set fire to her, burning fifteen panjas, more or less, the passes, the flags, and all the appurtenances of the said vessel. The witness saw all these acts, that there was nothing on board the vessel which could give suspicion of contraband, on the contrary, she was there to load wood, some of which was ready cut; that he saw when the English arrived there was nobody there of the crew of the boat of the Petitioner, and he the witness sent immediately to call them as they were bringing wood; they came soon, but when they arrived the English had already burnt the boat. The English who manned the boat and barge stayed until the Petitioner's boat was burnt; that they asked him when they came near him if he was the captain of the boat in question, but he told them he was not, but that her captain was on shore; and then they asked him some more questions in English which he did not understand, in a loud tone, for which reason the witness withdrew to a distance. He said no more of this nor afterwards, having given his evidence.

This deposition being read to him, he said it was correct and signed it.

(Signed) ABRANCHES GARCIA.

(Signature of Abdul Carimo Ali follows in Moorish characters.)

(Signed) VICENTE XAVIER LOBO.

Second witness, Asisi, native of Mozambique, master of the boat "Manarasul," shows that he does not understand Portuguese. The Judge named as interpreter Chacamuza of this city, to whom he administered oath on the Koran, &c. (as in the former case). The witness being asked about his age, condition, and calling, said he was thirty years old, unmarried, and master of the "Manarasul." Being asked about the matters contained in the preceding Petition, he said that about a month ago, more or less, he the witness came to the Bay of Fernão Veloso, piloting the boat "Manarasul," when he saw two boats coming from seaward; as they neared the witness, he saw that they were armed boats belonging to the English cruizers, but he does not know the names; that two officers and a seaman came into his boat, and after having searched her, withdrew and went on direct towards the shore, where the vessel "Estrella do Mar" was aground, belonging to the Petitioner; on this occasion she was empty and dry. One of the officers on board the barge landed on a sailor's back and went on board the said vessel; there he measured her with a rope, afterwards tore a piece of sail from the poop, and fired a pistol to kindle a light for burning the said vessel; that there was nothing there but some provisions, and nothing that could give a cause for suspecting contraband; that she came to load wood, of which three beams were already on the shore; that on the occasion when the English came into the said vessel none of the crew were on board, for they were in the bush cutting wood; that they were not allowed time to come in, and when they did come the vessel was already burnt. The English remained until she was on fire, and stayed for the rise of the tide to carry off the fragments to the sea; that with the boat they burnt the papers and flags and all that she contained. He said no more.

This deposition being read to him, he said it was true. He did not sign, being unable to write, and the interpreter signed,

(Signed) ABRANCHES GARCIA.

(Signature of Chacamuza in Moorish.)

(Signed) VICENTE XAVIER LOBO.

It appearing in this act that the witnesses Inhemale and Amici were slaves, the magistrate did not for this reason admit their evidence. The case was then declared to be closed.

Signed by the Magistrate, the Petitioner, the Public Minister, and myself, the notary writing the same.

(Signed)

ABRANCHES GARCIA.
GAETANO DE SOUZA VASCONCELLOS.
VICENTE XAVIER LOBO.

This is the matter of the said inquiry; when the case being terminated, my Court of the district of Mozambique pronounced its sentence, which is of the following tenour.—I pass my sentence in favour of the Petitioner, and interpose for him my authority and judicial decree. Let the instrument be given to the Petitioner on payment of the costs.

Mozambique, July 1, 1863.

(Signed)

JOZE IGNACIO DE ABRANCHES GARCIA.

Nothing more is contained in the said sentence, which was notified to the Petitioner and the Public Minister. And as on the part of the Petitioner it was required and asked that the instrument of justification should be extracted, given, and sent, these presents therefore have been extracted, given, and sent; and for this purpose I command all my Justices in general to whom this shall be presented, and whose duty it shall be to take cognizance thereof, that when it is presented in legal form they comply with it and observe it, and cause it in all things to be complied with and observed.

The King Don Luiz I, whom God preserve, has commanded the same through Doctor José Ignacio de Abranches Garcia, &c., by whom this is signed and sealed with the usual seal of this Court.

Signed and countersigned by Vicente Xavier Lobo, Notary, before the Court of the City and District of Mozambique.

Given and passed in this city of Mozambique, 4th July, 1863.

(Signed by me)

(L.S.)

VICENTE XAVIER LOBO, *Notary.*
JOZE IGNACIO GARCIA.

Inclosure 4 in No. 142.

Earl Russell to Count Lavradio.

M. le Comte,

Foreign Office, July 7, 1864.

I HAVE the honour to acknowledge the receipt of your letter of the 13th ultimo, claiming reparation from Her Majesty's Government and indemnification for the owner of the Portuguese schooner "*Estrella do Mar*," on account of the destruction of that vessel on suspicion of being engaged in the Slave Trade, by the boats of Her Majesty's ship "*Orestes*," in the Bay of Fernan Veloso, on the 28th of May, 1863.

I beg leave in reply to request that you will express to the Government of His Most Faithful Majesty the regret of Her Majesty's Government at the occurrence which has given rise to the complaint you have been directed to address to me.

You will see, however, from the papers which I have now the honour to inclose,* and which reached my hands only a few days since, that the officer by whose directions the "*Estrella do Mar*" was destroyed, promptly admitted that he had acted under a mistake, and that, with the consent and approval of the Governor-General of Mozambique, he had made all the reparation in his power to her owner, by paying him the full value of his vessel.

A translation of the receipt of Amad Gulano, the owner of the "*Estrella do Mar*," in acquittance of all claim on account of the destruction of his vessel, will be found among the accompanying papers.

It will be seen also that, on the part of the naval authorities, there was no attempt to screen Lieutenant Houghton, the offending officer, from the consequences of his act, the Admiral on the Station having directed a Court of Inquiry to be assembled for the purpose of investigating his conduct, and Lieutenant Houghton having compensated the owner of the Portuguese vessel, and apologized to the Governor-General of Mozambique, who expressed himself as being fully satisfied with the reparation thus made.

I trust, M. le Ministre, that the Government of His Most Faithful Majesty will accept this frank explanation in the same spirit in which it is offered, and I beg leave to assure you that whenever, as in the present instance, a Portuguese subject may have

* See Class A, Inclosures in No. 157.

suffered wrong at the hands of a British officer, you will always find Her Majesty's Government ready to afford such prompt satisfaction and redress as the merits of the case may require.

I am, &c.
(Signed) RUSSELL.

No. 143.

Earl Russell to Sir A. Magenis.

Sir, *Foreign Office, July 8, 1864.*

I TRANSMIT herewith, for your information, a copy of a despatch from Her Majesty's Commissioners at the Cape of Good Hope,* relative to a party of negroes to the number of 42, who have been brought to Cape Town by Mr. Waller, one of the gentlemen who accompanied Bishop Mackenzie on the East African Mission.

I have not yet received any report from Dr. Livingstone respecting these negroes, but you will see from the despatch of Her Majesty's Commissioners that they do not attach any credit to certain rumours which appear to have been circulated to the effect that the negroes in question had been removed from their native country surreptitiously and without the sanction of the Portuguese Government.

I am, &c.
(Signed) RUSSELL.

No. 144.

Earl Russell to Sir A. Magenis.

Sir, *Foreign Office, July 8, 1864.*

I TRANSMIT to you herewith lists of Her Majesty's ships furnished with warrants for the suppression of the Slave Trade, specifying the number of their guns, the names and ranks of their commanding officers, and the stations on which they are employed, and I have to desire that, in conformity with the stipulations contained in the second paragraph of Article III of the Treaty between this country and Portugal for the suppression of the Slave Trade, you will communicate copies of these lists to the Portuguese Government.

I am, &c.
(Signed) RUSSELL.

No. 145.

Earl Russell to Sir A. Magenis.

Sir, *Foreign Office, July 16, 1864.*

WITH reference to my despatch of the 8th instant, I inclose for your information a translation of a further note which I have received from the Portuguese Minister at this Court, relative to the case of the Portuguese schooner "*Estrella do Mar*."

I am, &c.
(Signed) RUSSELL.

Inclosure in No. 145.

Count Lavradio to Earl Russell.

(Translation.)
Excellency,

London, July 8, 1864.

I HAVE had the honour to receive the letter and the documents annexed thereto which your Excellency favoured me with on the 7th instant, in reply to the remonstrance which I addressed to you on the 13th of June last against certain acts done in the Bay of Fernan Veloso by an officer of the British Navy, belonging to the ship "*Orestes*."

I am about to transmit your Excellency's letter and accompanying documents to His Most Faithful Majesty's Government, which will highly appreciate the approval given by Her Britannic Majesty's Government to the just and prompt proceeding of Admiral Walker.

I have, &c.
(Signed) LAVRADIO.

No. 146.

Earl Russell to Sir A. Magenis.

Sir,

Foreign Office, July 26, 1864.

WITH reference to my despatch of the 31st of May last, transmitting copies of two despatches from Her Majesty's Commissioner at Loanda, reporting the capture and condemnation by the Portuguese authorities of the Spanish brigantine "*Virgen del Refugio*," for being engaged in the Slave Trade within Portuguese jurisdiction, I now inclose for your information copies of a correspondence relating to this vessel, which has passed between me and Her Majesty's Minister at Madrid,* from which it will be seen that the Spanish Government deny the right of the Portuguese navy to visit Spanish vessels when they appear to be slavers, and refuse to admit as valid the decision of the Prize Court at Loanda, alleging that the case of the "*Virgen del Refugio*," should be referred for adjudication to the Prize Court at Sierra Leone.

I have to observe, with reference to the view taken of this matter by the Spanish Government, that if, as is alleged by the Portuguese authorities, the "*Virgen del Refugio*" was captured by the Portuguese authorities equipped for the Slave Trade within half a mile of the coast of the Portuguese possessions in Angola, it appears to Her Majesty's Government that the adjudication in this case rests properly with the Portuguese authorities, and not with the Mixed Commission Court at Sierra Leone.

I am, &c.
(Signed) RUSSELL.

No. 147.

Sir A. Magenis to Earl Russell.—(Received August 4.)

My Lord,

Lisbon, July 27, 1864.

I HAVE the honour to transmit to your Lordship herewith, in copy and translation, a note which I have received from the Duke de Loulé, acknowledging the receipt of the one which, in obedience to the instructions contained in your Lordship's despatch of the 8th instant, I addressed to his Excellency, forwarding the lists of Her Majesty's vessels provided with warrants for the suppression of the Slave Trade.

I have, &c.
(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 147.

The Duke of Loulé to Sir A. Magenis.

(Translation.)

Sir,

Foreign Office, Lisbon, July 16, 1864.

I HAVE received the note which you were pleased to address to me on the 15th instant, transmitting to me four lists in which, in accordance with the second paragraph of Article III of the Treaty of July 3rd, 1842, between Portugal and Great Britain, for the suppression of the Slave Trade, the names of the ships of the British Royal Navy furnished with warrants for the suppression of the aforesaid traffic are mentioned.

While thanking you for this communication, I have the honour to inform you that I am going to forward the above lists to the Minister of Marine for his own information and for the proper purposes.

I avail, &c.
(Signed) DUKE OF LOULE.

Sir A. Magenís to Earl Russell.—(Received August 4.)

My Lord,

Lisbon, July 28, 1864.

ALTHOUGH not positively instructed by your Lordship's despatch of the 23rd ultimo to inform His Most Faithful Majesty's Government in writing of the disavowal by Her Majesty's Government of the conduct of Captain Gardner of Her Majesty's ship "Orestes" in continuing to search the Spanish barque "*Duque de Tetuan*," after that vessel's arrival within Portuguese jurisdiction, such a course of proceeding appeared to me to be most expedient, and, indeed I had no other means at my disposal for effectually carrying out the implied intentions of Her Majesty's Government.

I therefore addressed to the Duke de Loulé the note upon the subject, copy of which I have the honour herewith to inclose.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 148.

Sir A. Magenís to Duke of Loulé.

M. le Ministre,

Lisbon, July 27, 1864.

HER Majesty's Government are in possession of a correspondence which had been carried on between Rear-Admiral Sir Baldwin Walker, Commander-in-Chief of Her Majesty's naval forces upon the African station, and the Governor-General of Mozambique, in consequence of Captain Gardner of Her Majesty's ship "Orestes" having continued to search the Spanish barque "*Duque de Tetuan*" on suspicion of her being engaged in the Slave Trade, after that vessel's arrival within the jurisdiction of the Portuguese flag in the outer roads of Mozambique.

I have the honour to inform your Excellency that Captain Gardner's conduct in continuing the search of the "*Duque de Tetuan*," after she had arrived within Portuguese waters was, in the opinion of Her Majesty's Government, unquestionably wrong, although there is every reason to believe that he would have been justified in seizing that vessel and sending her to a port of adjudication; yet as he did not adopt that course, he ought either to have completed her search or to have quitted her before she arrived within Portuguese jurisdiction.

The conduct of Captain Gardner in this unfortunate affair has been disapproved of by the Admiral Sir Baldwin Walker, and Her Majesty's Government do not doubt that the Government of His Most Faithful Majesty will accept their prompt disavowal of Captain Gardner's proceedings as a sufficient apology for the unintentional violation by that officer of the neutrality of Portuguese waters.

I avail, &c.

(Signed) ARTHUR C. MAGENIS.

No. 149.

Earl Russell to Sir A. Magenís.

Sir,

Foreign Office, August 16, 1864.

I HAVE to acquaint you that I approve of your having addressed to the Portuguese Government the note of which a copy accompanied your despatch of the 28th ultimo, containing the disavowal of Her Majesty's Government of the conduct of the Commander of Her Majesty's ship "Orestes" in continuing to search the Spanish barque "*Duque de Tetuan*," after that vessel's arrival in Portuguese waters.

I am, &c.

(Signed) RUSSELL.

No. 150.

Sir A. Magenis to Earl Russell.—(Received September 2.)

My Lord,

Lisbon, August 26, 1864.

WITH reference to my despatch of the 28th ultimo, I have the honour to transmit herewith to your Lordship, in copy and translation, a note which I have received from the Duke de Loulé in answer to the one which I addressed to his Excellency respecting the irregular proceeding of Captain Gardner, of Her Majesty's ship "Orestes," and which formed the inclosure in my despatch above referred to.

I have, &c.

(Signed)

ARTHUR C. MAGENIS.

Inclosure in No. 150.

The Duke of Loulé to Sir A. Magenis.

(Translation.)

Sir,

Foreign Office, Lisbon, August 5, 1864.

I HAD the honour to receive the note which you were pleased to address to me on the 27th of July last, informing me of the disapproval both on the part of the Admiral Sir Baldwin Walker, the Commander-in-Chief of the British naval forces on the coast of Africa, and of your Government of the conduct of Captain Gardner of Her Majesty's ship "Orestes," on account of the violation of the neutrality of Portuguese territorial waters, committed by him when boarding the Spanish barque "*Duque de Tetuan*," on suspicion of her being engaged in the Slave Trade.

Having taken due notice of the contents of your note, I shall proceed to communicate the same to the Minister for the Navy and Colonies, who will no doubt appreciate the promptitude shown by Her Britannic Majesty's Government in expressing their disavowal of the irregular proceedings of that officer in the waters of Mozambique.

I avail, &c.

(Signed)

DUKE OF LOULE.

No. 151.

Sir A. Magenis to Earl Russell.—(Received September 2.)

My Lord,

Lisbon, August 26, 1864.

WITH reference to my despatch of 18th June last, I have the honour to transmit herewith to your Lordship, in copy and translation, a note which I have received from the Duke de Loulé in answer to the one which I addressed to his Excellency, forming the inclosure in my despatch above referred to, upon the expediency of expelling such persons as are implicated in the Slave Trade from the Portuguese possessions on the West Coast of Africa.

I have, &c.

(Signed)

ARTHUR C. MAGENIS.

Inclosure in No. 151.

The Duke of Loulé to Sir A. Magenis.

(Translation.)

Sir,

Foreign Office, Lisbon, August 6, 1864.

I HAD the honour to receive the note which you were pleased to address to me on the 15th of June last, wherein, with reference to the Slave Trade operations said to be carried on in the Portuguese possessions on the West Coast of Africa, you suggest the expediency of expelling from the Portuguese territory the parties implicated in that odious traffic.

It is my duty to state to you in reply to the same, that the Minister for the navy and colonies, to whom I had communicated the contents of your note, remarks with respect to this subject, that His Majesty's Government has endeavoured and still earnestly and strenuously endeavours to prevent the continuation of the Slave Trade in the Portuguese-African dominions, as has been proved by the repeated instances of captures made by its

cruizers, and that it does not hesitate to make use of all the preventive means that may lie in its power. But that the same Government being both constitutional and independent, cannot accede to any measures that go beyond the sphere of legality.

His Excellency adds that according to the Portuguese Constitution it appertains to the Courts of Justice to decide not only what persons are implicated in or guilty of any crime, but also the punishment which they deserve; and that according to the principle of the division of power, it is the duty of the Executive to ensure due respect to the sentences pronounced by the judicial power, but not to prejudge the same in any way whatever.

In acquainting you with the above, I avail, &c.

(Signed)

DUKE OF LOULE.

No. 152.

Earl Russell to Sir A. Mageniz.

Sir,

Foreign Office, October 8, 1864.

WITH reference to my despatches of the 31st of May and the 26th of July last, upon the subject of the capture and condemnation by the Portuguese authorities at Loanda of the Spanish brigantine "*Virgen del Refugio*," for being engaged in the Slave Trade within the Portuguese dominions, I transmit to you a copy of a further despatch which I have received from Her Majesty's Commissioner at Loanda* stating that upon the decision of the Court being made known in this case, the captain and crew of the "*Virgen del Refugio*" were at once placed in gaol. Contrary, however, to Portuguese law, the captain was admitted to bail with the sanction of Judge Dantas for the small amount of 400 milreis, upon which he immediately absconded.

I have to instruct you to take an early opportunity of bringing this matter to the serious attention of the Portuguese Government, and to express the earnest hope of Her Majesty's Government that such guilty connivance at the Slave Trade on the part of the Portuguese authorities, may not be allowed to pass unpunished.

Her Majesty's Government have learnt with great satisfaction the just indignation of the Governor-General of Angola at the conduct of Judge Dantas.

I am, &c.

(Signed)

RUSSELL.

No. 153.

Sir A. Mageniz to Earl Russell.—(Received November 6.)

My Lord,

Lisbon, October 26, 1864.

I HAVE the honour to inclose herewith to your Lordship a copy of the note which, in obedience to the instructions contained in your Lordship's despatch of the 8th instant, I addressed to the Duke de Loulé, calling his Excellency's attention to the conduct of Judge Dantas in admitting to bail the captain of the condemned slave-vessel "*Virgen del Refugio*" at Loanda.

I have, &c.

(Signed)

ARTHUR C. MAGENIS.

Inclosure in No. 153.

Sir A. Mageniz to the Duke of Loulé.

M. le Ministre,

Lisbon, October 15, 1864.

I HAVE the honour to inform your Excellency that I have received the instructions of my Government to call your Excellency's earnest attention to the conduct of Mr. Dantas, a judge at Loanda, in admitting to bail for the paltry sum of 400 milreis, and in direct violation of Portuguese law, the captain of the condemned slave-vessel "*Virgen del Refugio*" (captured in Portuguese waters by the Portuguese steam-corvette "*Napier*"), who had been, together with the crew of that vessel, lodged in gaol, but who immediately absconded upon being bailed.

* Class A, No. 83.

Her Majesty's Commissioner at Loanda has reported to Her Majesty's Government that, upon learning this proceeding of Mr. Dantas, he lost no time in seeking an interview with the Governor-General of Angola, and mentioning the circumstances of the case to his Excellency, who at first had some difficulty in giving credit to information so seriously affecting the reputation of a functionary of His Most Faithful Majesty; but, having learnt upon inquiry, that Mr. Vredenburg had been well informed, he expressed much indignation, and said that he should immediately direct the "Procurador Regio" to report to him upon the subject for the information of his Government.

Her Majesty's Government have learnt with great satisfaction the just indignation of the Governor-General of Angola at the conduct of Judge Dantas, and, in bringing this matter to the serious attention of His Most Faithful Majesty's Government, whose indignation will no doubt have equalled that displayed by the Governor-General of Angola, upon learning so gross a violation of the law upon the part of a person whose duty it was to enforce it, I am further instructed to express the earnest hope of Her Majesty's Government that such guilty connivance at the Slave Trade on the part of the Portuguese authorities at Loanda may not be allowed to pass unpunished.

I avail, &c.

(Signed) ARTHUR C. MAGENIS.

No. 154.

Sir A. Magenis to Earl Russell.—(Received December 3.)

My Lord,

Lisbon, November 21, 1864.

WITH reference to my despatch of the 26th ultimo, I have the honour to forward herewith, in copy and translation, a note which I have received from the Duke de Loulé, in answer to the one which formed the inclosure to my despatch above referred to, and by which your Lordship will perceive that the attention of his Excellency the Minister of Marine has been called to the conduct of Judge Dantas at Loanda, in admitting to bail the captain of the captured slave-vessel "*Virgen del Refugio*."

The Duke de Loulé informed me lately that the Spanish Government had abandoned a claim for compensation which they had put forward for the capture of the "*Virgen del Refugio*."

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 154.

The Duke of Loulé to Sir A. Magenis.

(Translation.)

Sir,

Lisbon, November 10, 1864.

I HAD the honour to receive the note which you were pleased to address to me on the 15th of October last, calling, by order of your Government, the attention of His Majesty's Government to the conduct of Judge Dantas at Loanda, in admitting to bail the captain of the slaver "*Virgen del Refugio*," which was captured by the Portuguese steamer of war "*Napier*."

Having communicated the contents of your note to the Minister of Marine, I am awaiting his Excellency's answer, of which you will be duly informed.

I renew, &c.

(Signed) DUKE OF LOULE.

No. 155.

Earl Russell to Sir A. Magenis, December 7, 1864.

[See No. 21.]

No. 156.

Earl Russell to Sir A. Magenís.

Sir,

Foreign Office, December 7, 1864.

I INCLOSE, for your information, the accompanying extracts of two letters from Commodore Wilmot,* the officer in command of Her Majesty's naval forces on the West Coast of Africa, reporting the particulars of a visit which he recently made to the Portuguese possessions in Angola.

You will see that, while the Governor-General of Angola and the Governor of Mossamedes appear to be strictly and conscientiously endeavouring to carry out the engagements of the Portuguese Crown for the suppression of the Slave Trade, it is stated that the Governor of Benguella stands alone as the encourager of this Traffic and the sharer of its profits.

Her Majesty's Government have for some time past been aware, and the Government of His Most Faithful Majesty cannot have remained ignorant, of the fact that a considerable number of slaves have within the last year been exported from the Portuguese possessions to the southward of Loanda. The interests of the Portuguese colony, no less than the engagements of the Portuguese Crown, require that a term should be put to this state of things; and I have to desire that you will ask the Portuguese Government to inform you whether any, and, if any, what, steps have been taken to prevent the exportation of slaves from the Portuguese possessions in Angola, and to punish the parties who have been engaged in this Traffic.

You will add that it will tend greatly to our better relations with the Portuguese Government if they would take energetic measures for suppressing the Slave Trade from their possessions.

I avail myself of this opportunity to transmit to you a copy of a report which I have received from the Acting British Judge in the Mixed Commission Court at the Havana,† showing the number of slaves estimated to have been introduced into Cuba during the twelve months ended the 30th of September last, and I also annex a similar statement for the three previous years.

I am, &c.

(Signed) RUSSELL.

No. 157.

Earl Russell to Sir A. Magenís.

Sir,

Foreign Office, December 7, 1864.

WITH reference to my despatch of the 30th of June last, I inclose for your information copies of two letters which I have addressed to the Portuguese Minister at this Court, containing explanations by the commanders of Her Majesty's ships "Sparrow" and "Snipe," of the circumstances under which they overhauled the Portuguese packet "Zaire" off the African coast, in the months of February and March last.

I am, &c.

(Signed) RUSSELL.

Inclosure 1 in No. 157.

Earl Russell to Count Lavradio.

M. le Comte,

Foreign Office, October 25, 1864.

WITH reference to my letter of the 29th of June last, on the subject of the complaint of the captain of the Portuguese mail-packet "Zaire," against the commanders of Her Majesty's ships "Snipe" and "Sparrow," for overhauling and searching his vessel off the African coast on the 20th of February, I have to acquaint you that I have received a report from Lieutenant Ommanney, of Her Majesty's ship "Sparrow," who states that he boarded the "Zaire" for the purpose of ascertaining whether, as was generally supposed, that vessel had slaves on board under the name of libertos, or whether she had received slaves from vessels sent to meet her on her passage.

* Class A, Nos. 146 and 147.

† Ibid., No. 40.

That officer states that he commenced his search by examining the ship's papers, after which he proceeded to ascertain whether the number of libertos on board agreed with the number of passports produced, for which purpose he addressed several questions to the libertos through a Portuguese seaman, as to where they were bound and whether they answered to the names on the passports. There was also at the time a large cargo boat towing alongside the "*Zaire*," whose papers he requested to see, and which after some delay were shown to him.

He adds that during this investigation the captain and the white passengers were standing round him, and that their remarks and behaviour were most provoking, so much so, that at one time he feared it might be necessary for him to call the men out of his boat to prevent his being interrupted in the performance of his duty.

Lieutenant Ommanney states that he cannot account for the charge of discourtesy brought against him, as he was most careful not to do or say anything that could possibly be construed as an uncivil or an unofficerlike action; for he observed at the time that the Portuguese were much excited at being boarded, and he feared lest they should seize the smallest opportunity of bringing some charge against him.

In conclusion, he states that the only reason he can imagine for a complaint having been brought against him is, that he insisted on having the passes of the libertos produced, though the captain and officers protested against it, and were very unwilling to do anything he requested.

In transmitting this explanation to you, I am bound in justice to Lieutenant Ommanney to state that I see nothing in that officer's conduct to call for censure in this case, and that in carrying out the unpleasant service with which he was charged I am of opinion that he in no way exceeded his duty, and I trust the matter will be viewed in the same light by yourself and the Portuguese Government.

I am, &c.
(Signed) RUSSELL.

Inclosure 2 in No. 157.

Earl Russell to Count Lavradio.

M. le Comte,

Foreign Office, November 30, 1864.

WITH reference to your letter of the 6th of June last, complaining of the conduct of the commanders of Her Majesty's ships "*Snipe*" and "*Sparrow*," in overhauling and searching the Portuguese packet "*Zaire*," off the African coast in the months of February and March last, and to my reply of the 25th ultimo, containing the explanation of the commander of the "*Sparrow*" of the circumstances under which he felt himself called upon to detain and examine the "*Zaire*," I now have the honour to transmit to you a copy of the Report of the officer belonging to Her Majesty's ship "*Snipe*" who boarded the "*Zaire*," on the 20th of February last, the occasion complained of in your letter.

The Report in question, it will be seen, was written on the 20th of February the date of the occurrence, and therefore before the receipt of any order calling for an explanation of the circumstances under which the "*Zaire*" was overhauled by the "*Snipe*," and whatever may be the circumstances that may have since induced the commander of the Portuguese packet to complain of the detention of his vessel, it would appear that he had no complaint to make at the time, but that, on the contrary, he appeared perfectly satisfied with the conduct of the boarding officer and expressed himself so through one of the passengers.

I am, &c.
(Signed) RUSSELL.

No. 157*.

Earl Russell to Sir A. Mageniz.

Sir,

Foreign Office, December 8, 1864:

I TRANSMIT to you herewith copy of a despatch from Her Majesty's Commissioner at Loanda,* by which you will learn that, in conformity with instructions from the Portuguese Government, the Governor-General of Angola sent Senhor Figueredo, one of the Judges of the Court of Relação, on a special Mission to Benguela, with the view, if

* Class A, No. 88.

possible, to discover the persons who have been engaged in the Slave Trade that has lately been carried on in that district; and you will also see that Senhor Figueredo's report is stated to have been forwarded to Lisbon.

I have to desire that you will ask the Duque de Loulé to communicate to you the substance of the Judge's report in this matter.

You will state that the vigilance of Her Majesty's cruisers having prevented the export of slaves during the last twelve months from the northern part of the West Coast of Africa, it is now chiefly from the southern portion of the African Coast that the Cuban market is supplied with slaves; and as there can be no doubt of the fact that a considerable number of Africans have been shipped from the Portuguese Possessions to the southward of Loanda, Her Majesty's Government are naturally anxious to learn from what localities the slaves have been embarked, in order that the attention of the commanders of Her Majesty's ships of war may be directed to the neighbourhood of the places from whence these shipments have taken place.

You will state forcibly the regret felt by Her Majesty's Government that the King of Portugal does not use his best exertions to suppress the Slave Trade.

I am, &c.
(Signed) RUSSELL.

No. 158.

Earl Russell to Sir A. Magenis.

Sir,

Foreign Office, December 31, 1864.

I TRANSMIT to you herewith, for your information, a copy of a Report upon the Slave Trade as connected with the Portuguese possessions in Angola, which I have received from Her Majesty's Commissioner at Loanda.*

The parts of this Report to which I wish particularly to call your attention are those which relate to the transport of slaves under the pretence of their being free labourers, from the mainland to the Island of St. Thomas, and to the Slave Trade which is carried on from the Coast of Benguela with the connivance of the subordinate Portuguese authorities.

All the reports received by Her Majesty's Government tend to prove that the present Governor-General of Angola, Senhor Andrade, honestly and faithfully endeavours to the best of his ability to carry out the engagements of the Portuguese Crown for the suppression of the Slave Trade, and Her Majesty's Government bear willing testimony to the zeal and good faith of this officer; but it is nevertheless painfully apparent that the good intentions of the Governor-General are neutralised and his efforts thwarted by his subordinate officers, who in some of the southern portions of the province are in league with the slave-dealers, and share their unholy gains.

You will omit no opportunity of pressing upon the Portuguese Government the necessity of removing the local authorities wherever there may exist well-grounded suspicions of their being in league with the slave-dealers, and you will also point out that it is only by so doing, and by finding means to punish the parties who are notoriously engaged in the Traffic, that the Government of His Most Faithful Majesty can prove that they are in earnest in their endeavours to put a stop to the export of slaves from the Portuguese possessions on the West Coast of Africa.

I am, &c.
(Signed) RUSSELL.

* Class A, No. 90.

PRUSSIA.

No. 159.

Earl Russell to Lord Napier, December 7, 1864.

[See No. 21.]

No. 160.

Lord Napier to Earl Russell.—(Received December 12.)

My Lord,

Berlin, December 9, 1864.

I AM instructed by your Lordship's despatch of the 7th instant to invite the Government of the King of Prussia to consider whether it would not be desirable to join in a general declaration having in view the double purpose—1st. To declare the Slave Trade piracy; 2nd. To apply the penalties of piracy, short of death, to persons convicted of being engaged in the trade by a Court which takes cognisance of piracy.

I am not distinctly directed to address an official note to the Prussian Government on this subject. I have therefore placed in the hands of M. de Bismarck a copy of your Lordship's despatch, and requested his Excellency to give his best consideration to the overture of Her Majesty's Government.

M. de Bismarck told me that he did not anticipate any repugnance on the part of the Prussian Government to the wishes of Her Majesty's Government; he would give his attention to your Lordship's proposal, and would inform me of his decision on a future occasion.

I have, &c.
(Signed) NAPIER.

No. 161.

Lord Napier to Earl Russell.—(Received December 26.)

My Lord,

Berlin, December 24, 1864.

I ASKED M. de Bismarck yesterday evening whether he was enabled to give me a definitive reply to the proposals of Her Majesty's Government, having in view a common declaration of the Powers, constituting the Slave Trade piracy, and subjecting those persons who should be guilty of participation in that Traffic to the jurisdiction of Courts charged with trials for piracy.

The Prussian Minister said that the question had been referred for consideration to the Minister of Justice, in order that it might be examined in its legal aspect. He hoped to obtain the opinion of the Minister of Justice shortly, which he would lose no time in imparting to me.

I have, &c.
(Signed) NAPIER.

RUSSIA.

No. 162.

Earl Russell to Sir A. Buchanan, December 7, 1864.

[See No. 21.]

No. 163.

Sir A. Buchanan to Earl Russell.—(Received December 24.)

My Lord,

St. Petersburg, December 21, 1864.

I HAD the honour of receiving this morning your Lordship's despatch of the 7th instant, in which you instruct me to submit to the Russian Government a proposal for the more effectual suppression of slave-trading by sea, by a general agreement among Governments for inflicting some punishment short of death upon persons convicted of the offence.

I lost no time in placing your Excellency's despatch in the hands of Prince Gortchakoff, who, after assuring me that he entirely concurred in the abhorrence which it expressed of the Slave Trade, requested me to leave it with him, as the proposal of Her Majesty's Government would require serious consideration.

I have, &c.

(Signed) ANDREW BUCHANAN.

SPAIN.

No. 164.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, January 29, 1864:

I TRANSMIT to you herewith copies of despatches from Her Majesty's Consul-General at the Havana, on the subject of the Cuban Slave Trade.

In his despatch of the 12th December last, you will see that Mr. Crawford reports the landing of a further cargo of slaves at or near a place called the Ensenada de Cochinos, from one of four steamers that have been purchased by well known slave-dealers and fitted out and despatched from Cadiz on slave-trading expeditions.

Another of these vessels was the "*Cicéron*," the steamer from which were landed the slaves subsequently captured by the Captain-General of Cuba, as reported by Mr. Crawford in his despatch of the 16th November last, a copy of which was communicated to you in my despatch of the 9th December last.

That slave-traders should avail themselves of the superior advantages afforded by steam to carry on their nefarious Traffic is not to be wondered at; but this practice makes it necessary that increased care and vigilance should be exercised by those whose duty it is to prevent the Slave Trade.

When, as in the present instance, four steam-vessels are stated to have been equipped for the Slave Trade, and to have been despatched from one and the same Spanish port, it is clear that, if this statement is well founded, there must have been either great remissness or connivance on the part of the authorities of the port.

In either case Her Majesty's Government have just ground of complaint.

I have instructed Her Majesty's Consul at Cadiz, in a despatch which I transmit to you under flying seal, to be forwarded to its destination, to make most searching inquiries regarding the vessels that are reported to have been equipped and cleared from that port for the Slave Trade; and you will be guided by Mr. Brackenbury's Report in the representation which you will make to the Spanish Government on this subject.

There is, however, another, and even more serious, matter reported in Mr. Crawford's despatch of the 15th of December, with regard to which you will not delay seeking explanations from the Spanish Government.

By an Order published in the "*Gaceta de Havana*" of the 6th December last, of which I inclose a copy, a large number of newly imported Africans seized by the Spanish authorities at a place called Las Pozas, on the 10th of June, 1860, and declared to be emancipados, are now, in pursuance of a sentence of the Royal Audiencia, called in from the parties to whom their services had been hired out, and will be again reduced to slavery.

If this order is carried out, it is clear that the same course may be adopted with regard to all the newly imported negroes who have from time to time been captured by the Spanish authorities, and for which captures the Government of Her Catholic Majesty have claimed credit, as evincing the good faith in which they were acting for the suppression of the Slave Trade.

Her Majesty's Government cannot, however, bring themselves to believe that this Order, which would amount to a positive breach of faith on the part of Spain of her Treaty engagements has been issued with the knowledge or consent of the Government of Madrid.

I have to desire that you will at once bring the matter to the notice of the Spanish Government, and report to me the result.

I am, &c.

(Signed) RUSSELL.

Sir J. Crampton to Earl Russell.—(Received February 13.)

My Lord,

Madrid, February 5, 1864.

ON the receipt of your Lordship's despatch of the 29th ultimo, I lost no time in seeking an interview with Señor Arrazola for the purpose of bringing under his Excellency's attention the reports made to Her Majesty's Government by Her Majesty's Consul-General at Havana: first, with regard to the fitting out of four steamers at Cadiz, to be employed in the Cuban Slave Trade; and secondly, in regard to the Order published in the Havana Gazette of the 5th of December last, by which a large number of newly-imported Africans, seized by the Spanish authorities at Las Posas on the 10th of June, 1861, and declared to be emancipados, are again reduced to slavery.

I also determined to take this opportunity of opening the subject of the Slave Trade generally with Señor Arrazola, and of pointing out to him the ill effect which the continued existence of this illegal and disgraceful Traffic to Cuba must ever have upon the friendly relations of Great Britain and Spain, which his Excellency had at our first interview expressed himself so warmly desirous to cultivate and maintain.

His Excellency, I observed, would find, upon examining this matter, that I was guilty of no exaggeration in saying that it was one which interests the British Government and nation in the very highest degree, and that it was one the satisfactory disposal of which would do more to put an end to irritating discussions between Great Britain and Spain than any other with which I was acquainted.

It was not true, as had been often stated in this country, that Her Majesty's Government, in pressing this matter so persistently on the Spanish Government, was only yielding to the outcry of a small sect of enthusiasts, and of those who envied the superior productiveness of the Spanish West India Islands as compared to those of Great Britain where slavery had been abolished. The very best part of the British public systematically pursued the total extinction of the Slave Trade as a great moral end, to be obtained at almost any material sacrifice; the feeling of the nation on the subject was as universal as it was just, and it had found, and still found, its expression in the language of the most distinguished statesmen and orators that Great Britain possessed.

It would be idle to expect that a movement of this sort, based upon a positive right and encouraged by success in other quarters, would wear itself out, now that its efforts were directed against the only remaining stronghold of the iniquity with which it has been contending for more than half-a-century.

As regarded Spain, the obligations of Treaties on the subject had long been in subsistence, and were too clear to admit of discussion; but, on the other hand, it was notorious that they were, if not totally disregarded, most imperfectly executed.

I put it to his Excellency, as a man conversant with the parliamentary business of his own country, whether he did not feel that under such circumstances Her Majesty's Ministers, even supposing for a moment (what is certainly not the case) that they themselves felt but a secondary interest in the matter, must be subjected to continual remonstrances in regard to it. The Spanish public, and sometimes the Spanish Government, seemed to feel surprise and resentment at the replies made by Her Majesty's Ministers to questions on this subject put to them in Parliament—replies which had never varied, no matter to what political party the Administration of the day belonged.

But would not the same thing, I asked, occur in the Spanish Cortes, if it could be pointed out that a Treaty between Spain and a foreign Power had been disregarded or evaded?

The excuses alleged for the non-execution of the Slave Trade Treaties by Spain had been the difficulties inherent in the subject, in consequence of the great temptation of the exorbitant gains of the Traffic to unprincipled individuals; but Brazil had overcome these difficulties which presented themselves on a greater scale and over a larger area. Another difficulty which had been alleged, and no doubt had existed, was the activity of American slave-traders, and the objection of the United States' Government to allow of right of visit or search; but this had been obviated now that the United States have agreed to act vigorously in concert with Her Majesty's Government in putting down this detestable Traffic.

Her Majesty's Government had never underrated any of these difficulties, past or present, but could not believe them to be unconquerable. They had, in fact, yielded and diminished exactly in proportion to the energy and good-will which had been brought to bear against them. I would appeal to the experience of Marshal Serrano, who, when Minister for Foreign Affairs, expressed to me his belief that it only required the application of the material means of repression at the disposal of the Cuban authorities, and the modification of some part of the municipal laws of Cuba, to put an end to the Cuban Slave

Trade altogether. I believed that in the communications of General Dulce to his Government his Excellency would be found to entertain the same opinion, and I invited Señor Arrazola to consult those officers, whose practical experience upon that particular matter I felt sure would be of weight with him, irrespective of any other political considerations.

The modifications of the law to which I had alluded were, I said, first, that Slave Trade should be declared piracy; and, secondly, the abrogation of the 9th and 13th Articles of the Code, by the first of which the authorities were precluded from seizing newly imported negroes when once they had been smuggled into the interior and located upon any estate, and by the second the sentence of the Real Audiencia was required for the punishment of slave-traders.

Señor Arrazola expressed himself in a manner entirely satisfactory, as far as regards his general wish to do everything which could contribute to a good understanding with Her Majesty's Government; and as to slavery and the Slave Trade, to both of which he declared that he felt the utmost abhorrence. He promised to give the subject his best consideration; but, as was to be expected from the short time he has been in office, he was unable to enter into any detail respecting the correspondence which has lately taken place in regard to it between Her Majesty's Legation and his Department. He acquiesced, however, in my desire that he should consult Marshal Serrano and General Dulce upon the matter.

With respect to the incidents which were more particularly the objects of my interview, namely, the Decree for replacing the Las Pozas emancipados in a state of slavery, and fitting out of four steamers at Cadiz for the Slave Trade, I explained both of them verbally to his Excellency; and with regard to the first mentioned, I have addressed him a note, a copy of which I have the honour to inclose; with regard to the second, I await, according to your Lordship's instructions, the report of Her Majesty's Consul at Cadiz before making it the subject of a written representation.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure in No. 165.

Sir J. Crampton to Señor Arrazola.

M. le Ministre,

Madrid, February 4, 1864.

I AM instructed by Her Majesty's Principal Secretary of State to bring under the serious attention of Her Catholic Majesty's Government a matter which has been reported to Her Majesty's Government by Her Majesty's Consul-General at the Havana regarding the illegal introduction of slaves into the Island of Cuba.

By an order of the Civil Superior Governor of Cuba, published in the "Gaceta de la Havana" of the 5th of December last, of which I have the honour to inclose a translation, a large number of newly imported Africans, seized by the Spanish authorities at a place called Las Pozas on the 10th of June, 1860, and declared to be emancipados, are now, in pursuance of a sentence of the Royal Audiencia, called in from the parties to whom their services had been hired out, and will again be reduced to slavery.

I need scarcely observe to your Excellency that if this order be carried out, it is clear that the same course may be adopted with regard to all the newly imported negroes who have from time to time been captured by the Spanish authorities, and for which captures Her Catholic Majesty's Government have claimed credit as evincing the good faith in which they were acting for the suppression of the Slave Trade.

Her Majesty's Government, however, cannot bring themselves to believe that this order, which would amount to a positive breach of faith on the part of Spain of her Treaty engagements, has been issued with the knowledge and consent of the Government of Madrid.

I would take this opportunity of reverting to what I had the honour of stating to the Marquis de Miraflores in my note of the 16th of December last, respecting the necessity of an alteration in some of the provisions, and more especially the 9th and 13th Articles of the Penal Code now in force in Cuba.

Your Excellency cannot fail to perceive that if, as in this instance, the efforts of the superior authorities to check the Slave Trade by the capture of newly landed negroes are liable to be rendered null and of no effect by subsequent judicial decisions, based upon defective laws, neither the best intentions nor any increased activity on the part of those authorities can be of the least avail towards putting an end to this detestable Traffic.

I avail, &c.

(Signed) JOHN F. CRAMPTON.

No. 166.

Sir J. Crampton to Earl Russell.—(Received February 15.)

My Lord,

Madrid, February 11, 1864.

WITH reference to my despatch of the 5th instant, I have now the honour to inclose the translation of a note which I have received from Señor Arrazola, informing me that he had communicated my note of the 4th instant, relative to negroes seized at Pozas, to the Minister of the Colonies.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 166.

Señor Arrazola to Sir J. Crampton.

(Translation.)

Sir,

Palace, February 6, 1864

I HAVE the honour to inform you that I have this day communicated the contents of your note of the day before yesterday, in which you mention an order published in the Havana "Gazette" of December 5 last, relative to the negroes seized by the Cuban authorities at the place called Pozas, to the Minister of the Colonies.

I will hasten to communicate to you the reply I may receive on the subject, and avail, &c.

(Signed) LORENZO ARRAZOLA.

No. 167.

Sir J. Crampton to Earl Russell.—(Received March 2.)

My Lord,

Madrid, February 27, 1864.

WITH reference to my despatch of the 13th of November last, inclosing the copy of a note which, by your Lordship's instructions, I addressed to the Spanish Minister for Foreign Affairs, respecting the treatment of emancipated negroes in the Island of Cuba, I have now the honour to inclose a translation of his Excellency's reply to that communication.

Your Lordship will observe that Señor Arrazola, although he contests the accuracy of the statements which have reached Her Majesty's Government as to the condition of the emancipados, and maintains that it is by no means to be compared to that of slaves, even in Cuba, where the condition of this class is milder than in any other country where slavery exists,—informs me that the Civil Governor of the Island has been directed by the Minister of the Colonies to take the matter into attentive consideration, with the view of introducing such ameliorations into the condition of the emancipados as the experience acquired since the publication of the last Ordinance on the subject, in 1854, may justify, consistently with a due consideration of the peculiar circumstances of the class of persons in question.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 167.

Señor Arrazola to Sir J. Crampton.

(Translation.)

Sir,

Palace, February 23, 1864.

YOUR note of November 6 last, in which you recommend that the position of emancipated negroes in Cuba should be improved, was duly received by this First Department of State.

The Government of the Queen my august Sovereign, taking into consideration the good and sincere relations which unite Spain and England, and wishing to give a fresh proof of their friendship, took this matter into their immediate consideration; and I have now the honour to inform you, by order of Her Majesty, that in view of the official information communicated to this First Department of State, the assertions contained in the said note

are inexact, as the condition of the emancipated blacks under the protection and tutelage of Her Majesty's Government is not to be compared in any way to that of the slaves, as has been stated, notwithstanding that the latter are much better treated than the slaves of any other country. The natural and deplorable state of ignorance of the captured negroes makes it impossible for them to enjoy for some time the rights of free men in civilized countries, as it would be even inhuman to give them their liberty at once, without means of obtaining their subsistence, and exposing them to injure a state of society the conditions of which they can neither know nor appreciate; for this reason Government take them under their protection, and do not give them their liberty until they can appreciate its benefits, and have obtained the necessary knowledge to enable them to live in society without danger, and to earn an honourable livelihood. Lastly, the laws governing emancipated negroes in the island are drawn up with the above-mentioned views, and it would require great efforts and strong proofs to alter them.

Always guided by the spirit which has induced Her Majesty's Government to place the above observations under your notice, I have also the honour to inform you that the Minister of the Colonies has stated to me that, being most anxious to conciliate, in as far as possible, all extremes, and introduce into the condition of emancipated negroes the reforms indicated by experience, since the publication of the present Regulations in 1854, and which can be carried out without injury to the considerations which must never be forgotten,—he has requested the Superior Civil Governor of the said Island to give the preference, with determination, to the study of this affair.

From all that has been said, you cannot do less than observe the deference with which the Government of the Queen my august Sovereign are pleased to admit on every occasion all the observations which are presented to them by Her Britannic Majesty's Government.

I avail, &c.

(Signed) LORENZO ARRAZOLA.

No. 168.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, March 4, 1864.

I TRANSMIT herewith, for your information, copies of a despatch and its inclosures from Her Majesty's Consul-General in Cuba,* relative to the capture of a slave-vessel by the Spanish authorities off the shores of that island, with 354 negroes on board.

I am, &c.

(Signed) RUSSELL.

No. 169.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, March 16, 1864.

I TRANSMIT to you, for your information, a copy of a despatch from Mr. Crawford, Her Majesty's Consul-General at the Havana,† reporting the capture, by the Spanish steamer of war "Neptuno," on the 8th ultimo, off Remedios, of a brigantine, without papers, but showing French colours, and having 682 slaves on board.

I am, &c.

(Signed) RUSSELL.

No. 170.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, March 21, 1864.

I TRANSMIT to you, for your information, copies of two despatches from Her Majesty's Consul-General at the Havana,‡ reporting the capture, by Her Catholic Majesty's steamer "General Leso," of a slaver with 365 Bozals on board, and transmitting copies of his correspondence with the Captain-General on this subject.

I am, &c.

(Signed) RUSSELL.

* No. 242.

† No. 244.

‡ Nos. 246 and 247.

No. 171.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, March 31, 1864.

I HAVE received a despatch from Her Majesty's Consul at Barcelona, informing me that the notorious slave-steamer "*Ciceron*" arrived at that port on the 8th instant with a cargo of cotton from Matamoros, and that she left again on the 14th in ballast for Marseilles, at which port, I learn from Her Majesty's Consul, she now remains, but is expected to sail in a few days for a Spanish port.

It might have been expected that this notorious vessel, whose proceedings you have from time to time reported to the Government of Spain, would, on her arrival at a Spanish port, have been detained and her crew arrested, with the view to their giving an account of their previous voyages, but no such steps appear to have been taken by the Spanish Government. I have now, however, to desire that you will recall the attention of the Government of Her Catholic Majesty to this vessel, and you will state that Her Majesty's Government expect that measures will be taken to investigate the previous proceedings, with the view to the punishment of her master and crew, and also with the view to prevent the "*Ciceron*" again proceeding on another slave-trading expedition, for which, according to the information received by Her Majesty's Government, she is destined.

I am, &c.

(Signed) RUSSELL.

No. 172.

Sir J. Crampton to Earl Russell.—(Received April 3.)

My Lord,

Madrid, March 31, 1864.

WITH reference to my despatches of the 16th of December last and of the 8th ultimo, inclosing respectively the copy of a note addressed to the Spanish Government on the subject of the necessity of introducing alterations in the Spanish law respecting the Slave Trade in Cuba, and the copy of a representation dated the 4th ultimo in regard to the reduction to slavery, by a Decree published in the "*Havana Gazette*" of the 5th of December last, of a number of freed negroes ("*emancipados*"), I have now the honour to transmit to your Lordship a translation of a note addressed to me by Señor Pacheco, which contains replies to both my communications.

Your Lordship will observe that with respect to the suggested alteration of the law, Señor Pacheco states that the subject has been submitted to the investigation of the Colonial Department. His Excellency promises that he will make me acquainted with their decision.

With respect to the restoration of the "*emancipados*" to the persons claiming them as their slaves, his Excellency states that the Decree in question was grounded upon the decision of a competent tribunal, before which the fact of the negroes being legitimately the property of the claimants was clearly proved, and before which it was shown that when they were captured by the boat from the war-schooner "*Juanita*," they had not been landed from any slaver, but were being conveyed with due legal licence from one estate to another.

In connection with this matter your Lordship will remark that Señor Pacheco takes some exception to what he considers to be over-zeal on the part of Her Majesty's Consul-General, and a pretension by that officer to exercise a sort of censorship on the proceedings of the Spanish tribunals and civil authorities.

It might, however, be stated in reply that Mr. Consul-General Crawford would have failed in his duty had he omitted to draw the attention of Her Majesty's Government to the startling fact of a considerable number of negroes, set free by a decision of the Spanish authorities themselves, having been again made slaves. Whatever weight may be attached to the explanation of the occurrence now made by the Spanish Government, it is evident that the Captain-General of Cuba himself was, on the *prima facie* evidence laid before him, under the impression that the negroes were illegitimately landed, and Her Majesty's Consul-General can scarcely be blamed for participating with his Excellency in his view of a case which must be admitted to have presented a very suspicious appearance.

I shall not fail to take an opportunity of making an observation in the above sense to Señor Pacheco.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure in No. 172.

Señor Pacheco to Sir J. Crampton.

(Translation.)

Sir,

Madrid, March 26, 1864.

YOUR note of the 4th of February last, in which you make some observations relative to the sentence of the Audiencia of Havana, by virtue of which 474 negroes taken at the place called Las Pozas on the 10th of June, 1860, were declared to be slaves, was duly received by this First Department of State. This sentence, in your opinion, would form a precedent which would tend to make the international Conventions relative to the Slave Trade inefficacious. With reference to this, I would remind you of another note, dated the 16th of last December, setting forth the necessity of altering some Articles of the law for the suppression of the Slave Trade, now in force in the Island of Cuba, in order that the judicial decisions should not cause the efforts made by the superior authorities to contain or repress the said Traffic to be unavailing.

I shall therefore have the honour of replying to two notes in view of the data supplied to me by the Colonial Department, to which, as you are aware, this First Department of State referred the said communications. With regard to the first, namely, the negroes captured at Las Pozas, I have to inform you that, after proper judicial investigation, it appears from the definitive sentence of the Third Royal Chamber of Justice, those negroes belonged to Messrs. Gutierrez and Casal, and were consequently ordered to be restored to those gentlemen, as belonging to their estates named Planchita and Guamuticas. All the parties implicated were acquitted, and the costs declared to be official. This decision was principally founded on the fact that the negroes in question had not been landed from any vessel when captured by a boat from the war-schooner "Juanita," nor had they come from the steamer supposed to be a slaver, which was chased at the time of their seizure; they had proceeded, with proper written licenses, from the estate called Guamuticas, situated in the jurisdiction of Cardenas, to the estate called Planchita, situated in that of Sagua, and were returning from the latter to the former in a boat when captured on suspicion of being Bozals. The said boat was freighted to convey them by the Sub-delegate of Marine and the Administrator of Rents, and despatched with the necessary provisions, as appears from two clauses of the sentence in question. In virtue of the definitive decision of the Judicial authorities, and in conformity with the Royal Order of September 5, 1859, which obliged the Tribunals of the Spanish West Indies to declare the nature and condition of negroes seized on landing, and the Governor-General of the Island of Cuba having no power to alter or interfere with the decisions of the Courts of Justice, the said superior officer ordered the Convocation to which you refer to be published in the Havana "Gazette" of the 5th of December, in order to collect from the respective patrons (coxswains of boats) and deliver to their owners all the negroes in question, the number of whom does not now pass 200, it having been diminished from various causes.

With respect to the second, namely, the propriety of modifying some of the Articles of the existing law for the suppression of the Slave Trade, I have the honour to inform you that the Colonial Department is making the necessary investigation into the matter, and that I will in due time inform you of the result.

From what I have stated, you will perceive that Spain is animated by the desire to introduce every possible reform into the present laws against the Slave Trade, and how unfounded was the alarm which the publication of the order of the Captain-General in the Havana "Gazette," caused in the mind of the English Consul-General, whose excessive zeal carried him to the extreme of pretending to take upon himself the censorship of the acts of the Spanish Tribunals, and even those of the Executive power—a faculty which is not conceded to him by the Treaties or the existing laws on the matter; and this proceeding is the more extraordinary as the British Government have on more than one occasion recognized the zeal and activity displayed by the superior authorities of the Island of Cuba in the suppression of the Slave Trade, as is proved by the frequent captures of slave-vessels, which having eluded the active watch of the English and North American cruisers off the coast of Africa, endeavour to introduce their cargoes into Cuba.

I avail, &c.

(Signed)

J. F. PACHECO.

Sir J. Crampton to Earl Russell.—(Received April 13.)

(Extract.)

Madrid, April 8, 1864.

I HAVE the honour to inclose the copy of a note which, in obedience to the instructions contained in your Lordship's despatch of the 31st ultimo, I have addressed to the Spanish Minister for Foreign Affairs calling his Excellency's attention to the arrival at Barcelona of a notorious slave-trading steamer called the "*Cicéron*," and expressing the expectation of Her Majesty's Government that steps may be taken to call the master and crew of this vessel to account in regard to former voyages, and to prevent her from being engaged in other slave-trading expeditions.

Inclosure in No. 173.

Sir J. Crampton to Señor Pacheco.

M. le Ministre,

Madrid, April 8, 1864.

HER Majesty's Government have been informed by the British Consul at Barcelona of the arrival at that port, on the 8th instant, of a notorious slave-steamer called the "*Cicéron*" with a cargo of cotton from Matamoros, and of her departure from Barcelona on the 14th instant in ballast for Marseilles, at which port Her Majesty's Government are informed that she now remains, but is expected to sail in a few days for a Spanish port.

Her Majesty's Government much regret that no steps appear to have been taken by the Spanish authorities to detain this vessel, and to oblige her crew to give an account of their previous voyages. I am, however, now instructed by Her Majesty's Principal Secretary of State for Foreign Affairs to call your Excellency's attention to this matter, and to state that Her Majesty's Government entertain the confident expectation that measures will be taken to investigate her previous proceedings, with a view to the punishment of the master and crew, and also with the view of preventing the "*Cicéron*" proceeding upon another Slave Trade expedition, for which, according to the information received by Her Majesty's Government, she is destined.

I avail, &c
(Signed) JOHN F. CRAMPTON.

No. 174.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, April 15, 1864.

I HAVE received your despatch of the 31st ultimo, inclosing a copy of a note addressed to you by Señor Pacheco on the subject of the sentence of the Court of Audiencia at Havana ordering the surrender to the slave-dealers of 474 negroes, who had been seized by the Spanish authorities at a place called Las Pozas in 1860, and replying to the note addressed by you to the Spanish Government on the 16th of December last suggesting an alteration in the laws now in force in the Island of Cuba for the suppression of the Slave Trade.

With reference to the negroes taken at Las Pozas, Señor Pacheco states that they were ordered to be restored to Messrs. Gutierrez and Casal, the parties who claimed them, after proper judicial investigation, as belonging to their estates named Planchita and Guamuticas.

Señor Pacheco further states that this decision was principally founded on the fact that the negroes in question had not been landed from any vessel captured by a boat from the war-schooner "*Juanita*," nor had they come from a steamer, supposed to be a slaver, which was chased at the time of their seizure; that they had proceeded, with proper written licences, from the estate called Guamuticas, situated in the jurisdiction of Cardenas, to the estate called Planchita, situated in that of Sagua, and were returning from the latter to the former in a boat when captured on suspicion of being Bozals, and that the said boat was freighted to convey them by the Sub-Delegate of Marine and the Administrator of Rents, and dispatched with the necessary provisions.

It is with much regret that Her Majesty's Government feel compelled to state that

they have reason to believe that these assertions are entirely at variance with the facts of the case.

They have a thorough conviction that these negroes were newly imported; that they were seized as such by the Captain-General, who must have had ample proof at the time of their condition, and were declared by him to be free.

If Her Majesty's Government are not misinformed, the decisions of the Court of Royal Audiencia shortly after the capture also declared that the negroes were Bozals, and consequently emancipated, and the parties claiming them were fined, and others implicated in the landing were punished. Her Majesty's Government have been also informed that the pretended owners gave in writing under their hands to the Captain-General a confession that the negroes in question were Bozals newly imported, and yet three years afterwards, when the matter is again brought before the Court of Audiencia, these unfortunate men are deprived of their liberty and condemned to slavery.

Although Her Majesty's Government may be unable to point out the particular means by which this sentence was obtained, they have good grounds for believing that it was the result of the most scandalous misconduct on the part of the local Spanish authorities, and a consequence of that general system of corruption which misled the Royal Audiencia, and most unfortunately appears to frustrate all the endeavours of the Government of Her Catholic Majesty to cause the Treaty engagements of the Spanish Crown as regards the suppression of the Slave Trade to be honestly fulfilled.

Her Majesty's Government cannot doubt, notwithstanding the statements contained in Señor Pacheco's note, that the most searching inquiries will still be instituted into the case of the negroes captured at Las Pozas, and subsequently surrendered to the slave-dealers, and that the Spanish authorities who have so deeply compromised the honour and good faith of their Government will, if found guilty, be brought to exemplary punishment. The result of the Decree of the Audiencia in the case of the negroes of Las Pozas is already apparent. By a despatch received from Her Majesty's Consul-General in Cuba, of which I inclose a copy,* you will perceive that the slave-dealers, encouraged by their success in obtaining through the most corrupt and disgraceful means the surrender of these negroes, are now claiming the restitution of upwards of 1,100 Africans who formed the cargo of the steamer "*Cicéron*," and were seized by the Spanish authorities in the neighbourhood of Colon in the month of November last. Whether they succeed in this case or not depends on the good faith of the Government at Madrid.

It is unnecessary for me to point out the particulars of this case of the "*Cicéron*," which are as well known to the Spanish Government as to that of Her Majesty. The responsibility of properly dealing with it now lies upon the Government of Her Catholic Majesty.

You will further state to Señor Pacheco that as no faith can now be placed in the integrity of those who have to administer the laws in Cuba, Her Majesty's Government earnestly recommend that henceforth all Bozal negroes captured by Spanish cruizers or officers acting under the orders of the Captain-General may at once be delivered over to the British Consul-General, or to some impartial official person, to be sent by him to Liberia, or to some other part of the coast of Africa where freedom prevails, so that they may receive the freedom to which they are entitled, and which, unfortunately, it is hopeless to expect if they remain in the Island of Cuba.

Her Majesty's Government are ready to sign an Additional Convention with Spain to the effect I have mentioned.

Her Majesty's Government have reason to believe that among the negroes landed from the "*Cicéron*" there are 12 who speak English, and who are probably British subjects, as they were shipped from the neighbourhood of Lagos.

I have instructed Her Majesty's Consul-General at the Havana to obtain information on this point, and to insist upon their release if they should prove to be entitled to British protection. You will request the Spanish Government to give directions that every facility shall be afforded to Mr. Crawford in carrying on his inquiries on this subject.

You will take an early opportunity of making a communication in the sense of this despatch to Señor Pacheco, and you will inform me without delay of the answer you receive.

I am, &c.
(Signed) RUSSELL.

Earl Russell to Sir J. Crampton.

(Extract.)

Foreign Office, April 15, 1864.

WITH reference to my despatch of this day's date respecting the surrender to the Cuban slave-dealers of the negroes captured by the Spanish authorities at Las Pozas in the month of June 1860, I now inclose, for your information, copies of despatches, as marked in the margin,* from Her Majesty's Consul-General in Cuba, giving a detailed account of the means by which this disgraceful transaction was brought about.

A more painful picture than that which this report exhibits of the demoralization and corruption, with scarcely a single exception, of all grades of authorities in Cuba, it is difficult to imagine.

You will, however, not disguise from the Government of Her Catholic Majesty that the circumstances connected with this transaction, and the conclusions to which it necessarily leads, as to the corruption prevalent in Cuba, have produced the most painful impression upon Her Majesty's Government.

No. 176.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, April 19, 1864.

WITH reference to my despatch of the 31st ultimo, respecting the Spanish slave-steamer "*Cicéron*," I inclose, for your information, a translation of the deposition of Antonio Farrugia,† a stoker who served on board that vessel on her last slave-trading voyage.

I am, &c.
(Signed) RUSSELL.

P.S.—I also inclose a copy of a despatch which I have just received from Her Majesty's Consul-General at the Havana relating to the Cuban Slave Trade.‡

R.

No. 177.

Sir J. Crampton to Earl Russell.—(Received April 19.)

My Lord,

Madrid, April 13, 1864.

I HAVE the honour to inclose the copy of a note which I have addressed to the Spanish Minister for Foreign Affairs, conveying to his Excellency the information contained in Mr. Consul Young's despatches to your Lordship despatches of the 30th ultimo and 11th instant, copies of which I received from him this day.

I have suggested that the captain and crew of the "*Cicéron*" should be subjected to an examination regarding their proceedings in connection with that vessel.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 177.

Sir J. Crampton to Señor Pacheco.

M. le Ministre,

Madrid, April 13, 1864.

WITH reference to my note of the 8th instant respecting the notorious slave-steamer "*Cicéron*," which lately arrived at Barcelona and proceeded to Marseilles, I have now the honour to inform your Excellency that I learn from Her Majesty's Consul at Bilbao that the captain and crew of that vessel left her on arriving at Marseilles, and came by land to Bilbao on the 28th ultimo.

As there is every reason to believe that these persons have been engaged in the Slave Trade, I would suggest to your Excellency that they should be subjected to an examination as to their past proceedings in connection with the vessel in question.

* Nos. 248, 249, and 251.

† Inclosure in No. 84.

‡ No. 253.

Information which has been obtained by Her Majesty's Consul at Bilbao leaves no doubt upon his mind that overtures have been made to these persons to engage in another slave-trading expedition, and that the "*Cicéron*" is preparing at Marseilles for another voyage to the West Coast of Africa.

I avail, &c.
(Signed) JOHN F. CRAMPTON.

No. 178.

Earl Russell to Sir J. Crampton.

Sir, *Foreign Office, April 23, 1864.*
I HAVE received your despatch of the 13th instant, and I have to convey to you my approval of the note which you addressed to Señor Pacheco, suggesting that the captain and crew of the "*Cicéron*" should be examined regarding their proceedings in connection with that vessel.

I am, &c.
(Signed) RUSSELL.

No. 179.

Sir J. Crampton to Earl Russell.—(Received April 25.)

My Lord, *Madrid, April 20, 1864.*
WITH reference to my despatch of the 13th instant, I have the honour to transmit the copy of a note which I have addressed to the Spanish Minister for Foreign Affairs, communicating to him some information regarding the intended movements of the "*Cicéron*," which has been made known to me by Mr. Macpherson, who, on Mr. Brackenbury's death, was instructed by me to place seals upon the office of Her Majesty's Consulate at Cadiz.

I have the honour to inclose herewith the extract of a letter addressed to me by Mr. Macpherson on this subject.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure 1 in No. 179.

Sir J. Crampton to Señor Pacheco.

M. le Ministre, *Madrid, April 20, 1864.*
WITH reference to the note which I had the honour to address to your Excellency on the 13th instant, I now beg to communicate some further information which I have received from Her Majesty's Consulate at Cadiz respecting the intended movements of the slave-steamer "*Cicéron*."

It appears that that vessel was expected at Cadiz, in order to ship two Portuguese engineers, having contrived to slip quietly out of the port of Marseilles. Her destination before proceeding again upon her nefarious voyage is believed to be Huelva.

Hoping that this information may enable the Spanish authorities to watch the proceedings of the vessel in question, and prevent the master and crew from effecting their object, I avail, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure 2 in No. 179.

Mr. Macpherson to Sir J. Crampton.

(Extract.) *Cadiz, April 17, 1864.*
ON the day of his death, some letters were handed me by Mr. Brackenbury, in reference to the movements of a notorious slaver, the "*Cicéron*," which was expected at this port in order to ship two Portuguese engineers. This vessel

slipped quietly out of the port of Marseilles, and her destination, before proceeding again on her nefarious voyage, was Huelva.

No. 180.

Sir J. Crampton to Earl Russell.—(Received April 30.)

My Lord,

Madrid, April 26, 1864.

WITH reference to my despatches of the 8th, 13th, and 20th instant, I have now the honour to inclose translations of Señor Pacheco's replies to my notes of the 8th, 13th, and 20th instant, by which I directed his Excellency's attention to the movements of the slave-steamer "*Cicéron*," and called on the Spanish Government to take measures for bringing the master and crew of that vessel to account for their former proceedings, and to prevent the "*Cicéron*" from being again employed in the Slave Trade.

Señor Pacheco in his note of the 20th instant states that, although this will not prevent him from communicating my notes to the Minister of Marine, with a view to a strict watch being kept on the vessel in question, he must nevertheless remind me, that if the authorities of Barcelona did not detain her, it was no doubt owing to the want of the *prima facie* evidence required by the Treaty of 1835, to constitute a legal suspicion of a vessel being engaged in the Slave Trade; and his Excellency remarks that this want of evidence would render it impossible to subject the captain and crew of the "*Cicéron*" to a judicial examination.

Your Lordship will observe that Señor Pacheco in this note makes no allusion to the notoriety of the "*Cicéron*" as a slave-trader being a fact well known to the Spanish Government, and leaves it to be inferred that the information which I have in the notes referred to given to them is all that they know about the matter, and consequently insufficient to ground a criminal action against the offenders.

I have accordingly addressed a fresh note to Señor Pacheco, pointing out to his Excellency that I did not ground my call upon the Spanish Government to institute a judicial examination of the master and crew of this vessel upon any supposed circumstance in her equipment when she arrived at Barcelona which would justify suspicion under the provisions of the Treaty of 1835, but upon the fact (reported to Her Majesty's Government by Mr. Crawford in his despatch of November 16, 1863), that the "*Cicéron*" had landed 1,105 Bozal negroes in Cuba in that month, who had been captured by the Spanish authorities of the district of Colon, and emancipated by the Captain-General: a fact which it was to be presumed was known to the Spanish Government, and one which would seem amply sufficient to constitute the *prima facie* evidence which Señor Pacheco finds wanting to justify judicial proceedings of any sort against the owner, master, and crew of that vessel.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure 1 in No. 180.

Señor Pacheco to Sir J. Crampton.

(Translation.)

Sir,

Palace, April 20, 1864.

I HAVE received the two notes you were good enough to address to me on the 8th and 13th instant, relative to the arrival at Barcelona from Matamoros of the steamer "*Cicéron*" with a cargo of cotton.

This vessel, which, according to your statement, is a notorious slaver, is, you also say, about to be again employed in the Slave Trade, and you regret that the Spanish authorities should have taken no steps to detain her, and force her crew to render an account of their previous voyages.

Although this will not prevent my communicating the contents of the above-mentioned notes to the Minister of Marine, in order that he may instruct the proper authorities to keep a strict watch on the vessel in question, I must nevertheless state to you that if the authorities at Barcelona did not detain the vessel you mention, it was no doubt owing to the want of the *prima facie* evidence required by the stipulations of the Treaty of 1835, in order that a vessel may be considered as suspicious of being engaged in the Slave Trade.

The want of this evidence also makes it impossible to subject the captain and crew of the "*Cicéron*," who, as you point out, have arrived at Bilbao overland from Marseilles, where the "*Cicéron*" was lying, to a judicial investigation, as they proceed from what appears to be a legitimate voyage, and their declarations would be of no avail if a criminal action could not be brought against them.

I will communicate to you as soon as possible what I may hear from the Ministry of Marine.

I avail, &c.
(Signed) J. FCO. PACHECO.

Inclosure 2 in No. 180.

Señor Pacheco to Sir J. Crampton.

(Translation.)

Sir,

Palace, April 24, 1864.

THE note which you were good enough to address to me on the 20th instant, relative to the steamer "*Cicéron*" has been this day forwarded to the Ministry of Marine. I shall lose no time in transmitting to you the answer which the above-mentioned Ministry may give to its contents.

I avail, &c.
(Signed) J. F. PACHECO.

Inclosure 3 in No. 180.

Sir J. Crampton to Señor Pacheco.

M. le Ministre,

Madrid, April 26, 1864.

I HAVE the honour to acknowledge the receipt of your Excellency's notes of the 20th and 24th instant upon the subject of the slave-steamer "*Cicéron*" and to inform you that I have transmitted copies of them to Her Majesty's Government.

With respect to my expression of the regret of Her Majesty's Government that the Spanish authorities at Barcelona had not taken any step to detain the "*Cicéron*," and to subject her master and crew to an examination as to their past proceedings, and with respect to your Excellency's remark that the omission of the authorities to do so arose no doubt from the absence of those *prima facie* indications which the Treaty of 1835 lays down as justifying a suspicion that a vessel is destined for the Slave Trade, I would beg to explain to your Excellency that my observation was not founded upon the assumption that the "*Cicéron*," on arriving at Barcelona, had been found in regard to her fittings and equipments to present any of the circumstances enumerated in the Xth Article of the Treaty of 1835 as suspicious, but upon the fact, known to Her Majesty's Government, and of which it was to be presumed the Spanish Government possessed official and judicial evidence, that this vessel had in the month of November 1863 succeeded in landing in Cuba 1,105 Bozal negroes, who were captured by the Spanish authorities of Colon, and liberated by the Captain-General.

This is a circumstance which of itself establishes the guilt of the master and crew of the vessel, and appears to afford ample grounds for a judicial investigation or criminal prosecution of the owners, master, and crew of the "*Cicéron*," quite independently of the provisions of the Xth Article of the Treaty of 1835, at whatever time, and under whatever circumstances, the vessel should afterwards come within Spanish jurisdiction.

I avail, &c.
(Signed) JOHN F. CRAMPTON.

No. 181.

Sir J. Crampton to Earl Russell.—(Received May 5.)

My Lord,

Madrid, April 30, 1864.

I HAVE the honour to inclose the copy of a note which, in conformity with the instructions contained in your Lordship's despatch of the 15th instant, I have addressed to Señor Pacheco on the subject of the late sentence of the Audiencia at Havana,

consigning to slavery the Bozal negroes captured by the Spanish authorities at Las Pozas in 1860, and then liberated by the Spanish authorities.

I reserve for a future opportunity a report of the conversation which, previous to sending in my note, I had with Señor Pacheco on this subject, and generally on that of the Slave Trade in Cuba.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 181.

Sir J. Crampton to Señor Pacheco.

M. le Ministre,

Madrid, April 30, 1864.

I DID not fail to communicate to Earl Russell the note which your Excellency did me the honour to address to me dated the 26th ultimo, on the subject of the late sentence of the Court of Audiencia at Havana, consigning to slavery 474 negroes who had been captured by the Spanish authorities at Las Pozas in 1860, and emancipated by the Captain-General, and replying to the suggestion made in my note to your Excellency's predecessor, dated the 16th of December last, that an alteration should be made in the laws in force in Cuba for the suppression of the Slave Trade.

Her Majesty's Government having taken these matters into consideration, have instructed me to communicate the following observations to His Catholic Majesty's Government.

With reference to the negroes taken at Pozas, it is stated that they were ordered to be restored to the parties who claimed them (Messrs. Gutierrez and Casal) after a proper judicial investigation, because it was proved before the Court of Audiencia that they were slaves belonging to their estates, and not Bozals or illegally imported negroes, as had been erroneously decided on their capture in 1860. This decision of the Audiencia was founded on the allegation of Messrs. Gutierrez and Casal, 1st, That the negroes in question had not been landed from any vessel captured by a boat from the war-schooner "Juanita," and that they had not come from the steamer supposed to be a slaver, which was chased at the time of their seizure; 2nd, That they had proceeded with proper written licenses from the estate called Guamuticas, situated in the jurisdiction of Cardenas, to the estate called Planchita, situated in that of Sagua, and were returning from the latter to the former in a boat when captured on suspicion of being Bozals.

It is with much regret that Her Majesty's Government feel compelled to observe that they have reason to believe that these allegations of Messrs. Gutierrez and Casal before the Audiencia are entirely at variance with the facts of the case. Her Majesty's Government have a thorough conviction that these negroes were newly imported, and that the Audiencia was misled by the production of false evidence, and by the suppression of facts and documents which would have counteracted it, if produced, into admitting the truth of those allegations.

That these negroes were declared to be free by the Captain-General (Marshal Serrano) immediately after their capture in 1860 cannot, of course, be contested, and it must be presumed that he had ample proof of their condition at the time. If Her Majesty's Government are not misinformed, it was then decided by the Real Audiencia itself that the negroes were Bozals, and consequently emancipated, while the parties claiming them were fined, and others implicated in the landing were punished. But Her Majesty's Government are further informed that the pretended owners gave in writing, under their hands to his Excellency Marshal Serrano, then Captain-General of Cuba, a confession that the negroes in question were Bozals. Surely this is a fact which might be ascertained? A number of other obvious tests of the truth of the pleas of Gutierrez and Casal might be resorted to. Were the negroes, when captured, clothed or naked? Could any of them speak a word of Spanish? What were the telegraphic messages sent and received at the time of the capture? What are the entries on the log of the "Juanita" at that time? If Her Majesty's Government are not very much misinformed the true answers to these and similar questions would have rendered it impossible for the Real Audiencia to come to the startling decision that several hundred unhappy men who had been for more than three years in the legal enjoyment of liberty should be made slaves.

Although Her Majesty's Government may not be able to point out the particular means by which this reversal by the Audiencia of its own previous decision was brought about, they have good reason to believe that it was the result of gross misconduct on the part of some of the local authorities, and the consequence of a system of corruption exercised by the slave-dealers, whose machinations, well-known and notorious as they are, have but too

often a deplorable success in corrupting the officials, in misleading the tribunals, and in frustrating the endeavours of the Government of Her Catholic Majesty to cause the Treaty engagements of the Spanish Crown for the suppression of the Slave Trade to be fulfilled.

Her Majesty's Government feel convinced of the sincerity of the desire of Her Catholic Majesty to observe faithfully the provisions of these Treaties, and to concur with them in effecting the great and honourable object for which such engagements were made. It is with sincere pleasure that they are ever ready to recognize the energy of those Captain-Generals of Cuba and of those officers of the Spanish navy whose success in checking the Slave Trade to some extent they acknowledge; and in pointing out to the Spanish Government any case which tends to defeat such efforts, their observations are made in the most friendly spirit.

In regard to the matter to which I have above alluded, they invite the Spanish Government to a searching examination into the circumstances of the case, and they feel confident that if such inquiries be still instituted, they will result in a thorough exposure of the malpractices of a detestable combination of slave-dealers, and the punishment of such of the Spanish authorities as may have compromised the honour and good faith of their own Government, aiding in or conniving at such misdeeds.

I have further to observe to your Excellency that it appears, from information received by Her Majesty's Government, that the ill effect of the success of Messrs. Gutierrez and Casal in obtaining this Decree of the Audiencia in the case of the negroes of Las Pozas is already apparent.

Her Majesty's Government learn that other parties of the same description, encouraged by this success, are now claiming the restitution of upwards of 1,100 Africans who formed the cargo of the steamer "*Cicéron*," and which were seized by the Spanish authorities in the neighbourhood of Colon in the month of November last. Whether these people succeed or not depends, it appears to Her Majesty's Government, upon the Government at Madrid. It is unnecessary for me now to point out to your Excellency the particulars of the case of the "*Cicéron*," which must be well known to the Government of Her Catholic Majesty, and which, as regards the later proceedings of the vessel, has formed the subject of my notes to your Excellency of the 8th, 13th, 20th, and 26th instant.

Her Majesty's Government do not doubt that your Excellency will feel that the responsibility of dealing properly with it will lie upon Her Catholic Majesty's Government.

I am further directed by Earl Russell to state to your Excellency that, considering the obstacles arising from causes similar to those above stated, which continually interpose themselves to the effective administration of the law with respect to the Bozal negroes, and which seem to render it hopeless that they should retain and enjoy the freedom to which they are entitled if they remain in Cuba, Her Majesty's Government would be ready to sign an additional Convention with Spain to the effect that henceforth all Bozal negroes captured by Spanish cruisers, or officers acting under the orders of the Captain-General, may be delivered to the British Consul-General, or to some other official person to be sent by him to Liberia, or to some other part of the coast of Africa where freedom prevails.

With regard to the negroes landed from the "*Cicéron*," I am further directed to state that Her Majesty's Government have reason to believe that there are 12 who speak English, and who are probably British subjects, as they were shipped in the neighbourhood of Lagos. Her Majesty's Consul-General at the Havana has been instructed to procure information, and to obtain their release if they should prove to be entitled to British protection; and I am instructed on my part to request that your Excellency will be so good as to cause such directions as will facilitate the inquiries of Her Majesty's Consul-General on the subject.

I avail, &c.

(Signed) JOHN F. CRAMPTON.

No. 182.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, May 5, 1864.

WITH reference to my despatch of the 4th of March last, transmitting copies of a despatch and its inclosures from Her Majesty's Consul-General at the Havana, relative to the capture of a slave-vessel off the Cuban coast by a boat's crew of Her Catholic Majesty's ship "*Petronilla*," I now transmit a copy of a further despatch from

Mr. Crawford,* inclosing copies of a correspondence which has passed between him and the Captain-General of Cuba arising out of an application which Mr. Crawford was instructed to make to the Captain-General for information as to the name of the captured slave-vessel, and as to the place from whence she shipped her slaves on the African coast.

You will see, however, that the Spanish authorities have refused to furnish Mr. Crawford with the information asked for in this case, on the pretext that, if granted, it would be calculated to defeat the ends of justice.

I have to instruct you to bring this matter to the notice of the Spanish Minister; and in doing so you will state that it would be very useful to Her Majesty's Government, and would facilitate the object which Her Majesty's Government, no less than that of Her Catholic Majesty, have in view, viz., the suppression of the Slave Trade, if the information asked for by Mr. Crawford were to be furnished, not only in the present instance, but also in the case of any future captures made by the Cuban authorities.

Her Majesty's Government are of opinion that the ends of justice are much more likely to be defeated by withholding than by granting this information; and you will request, therefore, that instructions may be given to the authorities in Cuba to furnish Her Majesty's Consul-General with the names of the slave-vessels that may from time to time be captured by the Cuban authorities, and also, if possible, to inform him of the localities on the African coast from whence the slaves were shipped.

I am, &c.
(Signed) RUSSELL.

No. 183.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, May 5, 1864.

I HAVE received your despatch of the 26th ultimo, and I have to convey to you my approval of the note which you addressed to Señor Pacheco on the 26th ultimo, in reply to his Excellency's note to you of the 24th, in which he states that there is not sufficient evidence to subject the captain and crew of the "*Cicéron*" to a judicial examination.

I am, &c.
(Signed) RUSSELL.

No. 184.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, May 11, 1864.

WITH reference to your despatch of the 30th ultimo, I have to acquaint you that I approve the note which, in execution of the instructions contained in my despatch of the 15th of April, you addressed to Señor Pacheco on the subject of the late sentence of the Audiencia at Havana consigning to slavery the negroes captured at Las Pozas in 1860, and declared emancipados by the Spanish authorities.

I am, &c.
(Signed) RUSSELL.

No. 185.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, May 20, 1864.

WITH reference to my despatch of the 15th ultimo, I transmit to you, for your information, copies of a further despatch and its inclosures from Her Majesty's Judge at the Havana† respecting the negroes said to be English Kroomen who were amongst those captured at Colon in November 1863.

There has not yet been time for the receipt of any communication from Mr. Crawford in reply to the instruction which I addressed to him on this subject, but it would appear

* No. 254.

† Class A, No. 29.

probable from the tenour of the present Report that access to these unfortunate captives may be denied to Her Majesty's Consul-General. It will be as well, therefore, that you should take an opportunity of speaking to the Spanish Minister again, and impressing on him the necessity of such orders being sent to Cuba as will ensure Mr. Crawford an opportunity of examining and ascertaining satisfactorily whether the negroes captured at Colon who speak English are really entitled to British protection or not.

I am, &c.
(Signed) RUSSELL.

No. 186.

Sir J. Crampton to Earl Russell.—(Received May 21.)

My Lord,

Madrid, May 15, 1864.

I HAVE the honour to inclose the copy of a note which, in accordance with the instructions contained in your Lordship's despatch of the 5th instant, I have addressed to the Spanish Minister for Foreign Affairs, requesting his Excellency to cause instructions to be given to the local authorities in Cuba to furnish Her Majesty's Consul-General with information respecting the names of slavers captured by the Cuban authorities, and of the places from whence they shipped their slaves.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 186.

Sir J. Crampton to Señor Pacheco.

M. le Ministre,

Madrid, May 15, 1864.

I HAVE the honour to submit to your Excellency's notice the accompanying copy of a correspondence which has passed between Her Majesty's Consul-General in Cuba and his Excellency the Captain-General of that Colony, relative to the capture of a slave-vessel off the Cuban coast by Her Catholic Majesty's ship "Petrónilla."

Your Excellency will perceive that Mr. Consul-General Crawford having by the instructions of Her Majesty's Government applied to the Captain-General for information as to the name of the captured vessel, and as to the place from whence she shipped her slaves, his request was refused on the alleged ground that, if granted, it would be calculated to defeat the ends of justice.

I am now directed by Earl Russell to observe to your Excellency that Her Majesty's Government are of opinion that it would be very useful, and would facilitate the object which Her Catholic Majesty's Government, no less than Her Britannic Majesty's Government, have in view, viz., the suppression of the Slave Trade, if the information asked for by Mr. Crawford were to be furnished, not only in the present instance but also in the case of any future captures made by the Spanish authorities. Her Majesty's Government are persuaded that the ends of justice are much more likely to be defeated by withholding than by granting this information, and I would consequently request your Excellency, on the part of Her Majesty's Government, to cause instructions to be given to the authorities in Cuba to furnish Her Majesty's Consul-General with the names of the slave-vessels that may from time to time be captured by the Cuban authorities, and also, if possible, to furnish him with the names of the localities on the African coast from whence the slaves were shipped.

I feel confident that your Excellency will acknowledge that the withholding of such information by the local authorities of Spain, would not be in accordance with the true spirit of those Treaties by which the two Governments are united in a common course of action for the effectual suppression of the African Slave Trade.

I avail, &c.
(Signed) JOHN F. CRAMPTON.

Sir J. Crampton to Earl Russell.—(Received May 27.)

My Lord,

Madrid, May 22, 1864.

I HAVE the honour to inclose the copy of a note which I have received from the Spanish Minister for Foreign Affairs, informing me that the Minister of Marine has ordered measures to be taken to prevent the "*Cicéron*" from being employed in the Slave Trade, and acknowledging the receipt of my note of the 26th ultimo on that subject.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure in No. 187.

Señor Pacheco to Sir J. Crampton.

(Translation.)

Sir,

Palace, May 16, 1864.

I HAVE the honour to inform you that the Minister of the Marine, to whom I communicated the notes of your Legation, dated the 8th, 13th, and 20th of April last, relative to the steamer "*Cicéron*," informs me that he has given the necessary orders in order that measures may be adopted tending to prevent that steamer from engaging in the illegal Traffic of Slaves.

I must also acquaint you that I have received and communicated to the above-mentioned Department and to that of the Colonies, your note of the 26th of April, in order that proper measures may be adopted in the affair in question.

I avail, &c.

(Signed) J. F. PACHECO.

No. 188.

Sir J. Crampton to Earl Russell.—(Received May 30.)

My Lord,

Madrid, May 26, 1864.

I HAVE the honour to inclose the copy of a note which, in conformity with the instructions contained in your Lordship's despatch of the 20th instant, I have addressed to Señor Pacheco with respect to the objection of the Court of Real Audiencia at Havana to allow of an examination, in the presence of Her Majesty's Consul-General, of the negroes whom he believes to be entitled to British protection, among those captured by the Spanish authorities at Colon in the month of November last.

I should have preferred to speak to Señor Pacheco on this subject, but his Excellency's departure for Aranjuez to attend on Her Catholic Majesty prevented his usual reception of the members of the Diplomatic Body to-day, an opportunity of which I had meant to avail myself for the purpose.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure in No. 188.

Sir J. Crampton to Señor Pacheco.

M. le Ministre,

Madrid, May 26, 1864.

WITH reference to the note which I had the honour to address to your Excellency on the 30th ultimo, in which, among other things, I requested, on the part of Her Majesty's Government, that facility should be given to Her Majesty's Consul-General at the Havana to examine and ascertain whether certain negroes among those landed in Cuba by the slaver "*Cicéron*," captured by the Spanish authorities at Colon in the month of November last, were, as he had reason to believe, taken from an English Settlement, and entitled to British protection, I am directed by Earl Russell to state to your Excellency that Mr. Consul-General Crawford has informed his Lordship by a despatch lately received that the Court of Real Audiencia at Havana objects to comply with his request to have an examination, at which he shall be present, instituted in this matter, reserving to itself

exclusively the right of examining it in the course of the legal proceedings. Her Majesty's Consul-General consequently apprehends that the opportunity he seeks of substantiating the statements which have been made to him will not be afforded to him.

Your Excellency will no doubt concur with me in the opinion that the decision of a question regarding the nationality of British subjects could not be satisfactory to Her Majesty's Government without the presence or intervention of a British functionary making the claim on their part; and I therefore feel confident that your Excellency will cause such orders to be given to the authorities at Cuba as may enable Mr. Crawford to carry into effect the instructions which have been addressed to him by Her Majesty's Government.

I avail, &c.

(Signed) JOHN F. CRAMPTÓN.

No. 189.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, June 3, 1864.

I TRANSMIT to you herewith copies of two despatches from Her Majesty's Commissioner at Loanda* relative to the capture of two vessels fully equipped for the Slave Trade off the coast of the Portuguese Possessions on the West Coast of Africa.

Both these vessels are stated to have sailed from Cadiz, and one of them, the brigantine "*Virgen del Refugio*," you will see cleared from that port, which is now notorious as a place of equipment for slave-vessels, under the pretence of making a coasting-voyage to Villa Garcia, instead of which her master, according to his own confession, sailed for the African coast with the object of shipping a cargo of slaves.

I have to desire that in communicating to the Spanish Government the particulars reported by Mr. Vredenburg respecting the Spanish brigantine "*Virgen del Refugio*," you will at the same time request that steps may be taken for making her owners answerable for the adventure in which their vessel was engaged, and you will also call upon the Spanish Minister to take measures for preventing the continued equipment of vessels for the Slave Trade in the port of Cadiz.

I am, &c.

(Signed) RUSSELL.

No. 190.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, June 3, 1864.

I HAVE received your despatch of the 26th instant, and I have to convey to you my approval of the note which you addressed on the 26th instant to Señor Pacheco with respect to the objection of the Court of Audiencia at Havana to permit the examination before Her Majesty's Consul-General at that place of certain negroes supposed to be British subjects, who were captured by the Spanish authorities at Colon in the month of November last.

I am, &c.

(Signed) RUSSELL.

No. 191.

Sir J. Crampton to Earl Russell.—(Received June 13.)

My Lord,

Madrid, June 8, 1864.

I HAVE the honour to inclose the copy of a note which, in conformity with the instructions contained in your Lordship's despatch of the 3rd instant, I have addressed to the Spanish Minister for Foreign Affairs, communicating to his Excellency the facts relative to the capture of two slave-trading vessels off the Portuguese Possessions in Africa, which sailed from Cadiz; requesting that measures may be taken to make the owners of the Spanish vessel "*Virgen del Refugio*" answerable for their proceedings in this

* Class A, Nos. 67 and 70.

instance; and pointing out the frequency with which slave-trading adventures have recently been planned and organized at the port of Cadiz.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 191.

Sir J. Crampton to Señor Pacheco.

Madrid, June 8, 1864.

M. le Ministre,

BY the instructions of Her Majesty's Government, I have the honour to communicate to your Excellency copies of despatches received by Earl Russell from Her Majesty's Commissioner at Loanda, relative to the capture of two vessels fully equipped for the Slave Trade off the coast of the Portuguese Possessions on the West Coast of Africa.

Your Excellency will observe that both these vessels are stated to have sailed from Cadiz, and that one of them, the brigantine "*Virgen del Refugio*," cleared from that port under the pretence of making a coasting-voyage to Villa Garcia, instead of which, her master, according to his own confession, sailed for the African coast with the object of shipping a cargo of slaves.

Her Majesty's Government direct me, in making this communication, to request that your Excellency will cause steps to be taken for making the owners of the "*Virgen del Refugio*" answerable for the adventure in which that vessel was engaged, and Her Majesty's Government do not doubt that when the attention of your Excellency is called to the fact, which is proved by the present instance as well as by others to which I have recently had occasion to advert, viz., that Cadiz has of late but too frequently been the point at which slave-trading expeditions have been planned and organized, Her Catholic Majesty's Government will take every possible measure for putting a stop to so lamentable a practice at that port.

I avail, &c.
(Signed) JOHN F. CRAMPTON.

No. 192.

Sir J. Crampton to Earl Russell.—(Received June 18.)

My Lord,

Madrid, June 14, 1864.

MR. CONSUL-GENERAL CRAWFORD apprized your Lordship in his despatch of the 26th of March last, that Colonel Arguelles, Lieutenant-Governor of Colon who was suspected among other things of having clandestinely sold as slaves on his own account 250 negroes, part of a capture of 1,005 Bozals made by him, and declared by the Cuban authorities to be free, had absconded.

This individual, it appears, went to the United States, and when at New York circulated a malicious libel against General Dulce, accusing him of malversation and other misdemeanours in his capacity of Captain-General of Cuba. Colonel Arguelles' offence of the criminal sale of the negroes was, in the meantime, legally brought home to him by the tribunals of the Island, and his extradition was requested of the United States' Government. This was complied with, and Arguelles was arrested and delivered up to the Spanish authorities.

These occurrences became on Saturday the 11th instant, the subject of a Parliamentary incident in the Spanish Cortes, a report and translation of which I have the honour to inclose. Marshal O'Donnell rose, and as a personal friend of General Dulce, requested the Minister of the Colonies to state to the Senate the facts of the case, taking the opportunity of repelling with warmth the charges contained in the libel published by Arguelles.

The Minister of the Colonies, Senor Ulloa, replied by stating briefly what had taken place, and by paying a high tribute to the integrity and ability of General Dulce in general, and in particular to his zeal and the success of his efforts for the suppression of the Slave Trade. Your Lordship will observe with satisfaction that Senor Ulloa on this occasion stated, in the most unequivocal terms, the sincere desire of the Spanish Government to put a term to this infamous traffic.

The Marquis of the Havana, formerly Captain-General of Cuba, took the opportunity of denying a statement which appears to have been made that he had recommended Arguelles to General Dulce.

There can be no doubt that Arguelles in endeavouring to blacken the character of General Dulce, besides seeking a set-off to his own misdeeds, was acting at the instigation of the slave-trading interest in Cuba, who desire General Dulce's removal, and it is therefore satisfactory to perceive that the Spanish Government has not allowed itself to be influenced against him, and still affords him their countenance and support.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure in No. 192.

Extract from the "Epoca" of June 13, 1864.

(Translation.)

The Duke of Tetuan.—THE Press has for some time past taken notice of the landing of slaves in the Island of Cuba, and of the seizures that have been made—thanks to the energy of the worthy authorities in the island, and more especially of what happened in November; where, as they said, certain public officers were implicated, and chiefly a Lieutenant-Governor who is now at New York, whence he issues lampoons which must have reached the hands of many senators, as they have those of various other persons as well as mine. In these, charges are made which may certainly be considered calumnious, inasmuch as they are brought by a man who is amenable to the sentence of a Court, and who has become a refugee in order to escape the action of the law.

As this may affect the good name of the worthy General Dulce, if not with those who know him, at least in the eyes of the public, I, who am an old friend of his, rise to ask Her Majesty's Government to be so good, if they find it not inconvenient to do so, to say whether they have any knowledge of the facts referred to; whether the necessary steps are being taken; whether what appears criminal has been brought before the Law Courts; whether the person I have spoken of has been claimed of the United States by the Government of the Island of Cuba; whether his extradition has been effected; and, lastly, whether Government is satisfied with the energy, activity, and zeal shown in the rule of the worthy officer who is at the head of affairs in the island.

The Minister for the Colonies.—In answer to the question put to the Government by the Duke of Tetuan, I have to say that, as a matter of fact, within the last few months, repeated seizures of Bozal negroes have been made. During the time in which the worthy officer who is now at the head of affairs in that island has held command, I believe that five seizures have been made, amongst which that made in November; and that the result of these gave, according to the first account given, the number of Bozals taken as 1,005, which number has been increased by a later and more accurate calculation to 1,105.

What was natural to be done was done in the present case, and this was, to get together the accounts given above, and hand them over to the Audiencia, that proceedings might be taken so as to institute an action. This done, a warrant was issued for the apprehension of the Lieutenant-Governor spoken of by his Lordship, which could not be put into execution because he had left the island, on leave given him by the Captain-General, before it was foreseen what would happen. Once out of the island, this Lieutenant-Governor wrote the pamphlet which, according to the Duke of Tetuan, has been so widely circulated, bringing charges which highly offend the dignity of the chief authority of that place; but these declarations are worth little when they come from a person placed on trial who is attempting to evade the action of a Court of law,

The Government cannot do less than say that the uprightness and honesty of the Commander-in-chief of the Island of Cuba cannot be called in question, any more than can his firm purpose of carrying out the policy and the zeal with which he discharges the mission entrusted to him; for they are sure that imperishable proofs will remain to show that his rule has contributed greatly to the quiet and increased prosperity of the island.

As to the extradition of this Lieutenant-Governor, Government know nothing officially, although they have received some private information on the subject. It should be borne in mind on this point that there exists no Extradition Treaty, only a commercial one, which speaks of the surrender of sailors in the merchant service of either nation; and that the case must be ruled by the usages of public international law, which leave it to the discretion of the Government whether or not to yield to demands of extradition according to the circumstances of the case, and that there are examples of such demands and of such accessions in either country, as well as other cases, perhaps, in which it has not been thought fit to accede to such demands.

I believe that the Duke of Tetuan may now consider his question answered.

The Duke of Tetuan.—I rise only to thank the Colonial Minister for the answer he has been good enough to make me.

The Marquis of the Havana.—I have a few words to say on this subject, because the lampoon directed against the Governor of the Island of Cuba says that I wrote to the worthy General Dulce to recommend a person who is now under sentence of a Court of Law; and I have to state that this is a calumny, because it just happened that this person was arrested by me whilst I had the honour of being at the head of affairs in that island; that the cause of my being recalled from my employment was that the Government did not approve of a circular in which I proposed to banish all who took part in the Slave Trade; and that as I could not on that account banish this person, I could scarcely, after this, recommend him.

For the rest, the Senate will understand that all that this lampoon asserts is nothing but a tissue of calumnies. I will say no more on this head until the Courts of Law which are now engaged on the subject shall have done full justice, in the course of which the high and worthy conduct of the chief authority in that island will be brought fully to light.

The President.—This subject is done with.

No. 193.

Sir J. Crampton to Earl Russell.—(Received June 23.)

My Lord,

Madrid, June 19, 1864.

WITH reference to my despatch of the 15th ultimo, I have the honour to inclose a translation of the reply which I have received from the Spanish Minister for Foreign Affairs to the note which I addressed to his Excellency on the 15th ultimo, requesting that Her Majesty's Consul-General at the Havana should be put into possession of all the circumstances relative to the capture by the Spanish ship of war "Petronilla" of a slaving-vessel, and that the name of the vessel, the name of the captain and of the place from whence she shipped her cargo of slaves should be made known to him—a request which was refused to Mr. Crawford by the Court of Audiencia.

Señor Pacheco, on the part of the Spanish Government, declines to give directions that this request should be acceded to, alleging that it is contrary to Spanish law that the proceedings in any case be revealed so long as they are "in sumario," that is to say, in the preparatory stage to being brought before a legal Tribunal.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure in No. 193.

Señor Pacheco to Sir J. Crampton.

(Translation.)

Sir,

The Palace, June 17, 1864.

I HAVE received the note which you have been pleased to address to me dated the 15th ultimo, with the accompanying copies of a correspondence which has taken place between the highest authority of the Island of Cuba and Her Britannic Majesty's Consul at Havana, relating to the capture by the Spanish man-of-war "Petronilla" of a slaving-vessel, from which documents it appears that Mr. Crawford asked to be informed of all the circumstances attendant on the capture, together with the name of the vessel, that of the captain, and that of the place where she took in her cargo of slaves—a request which was refused by the Real Audiencia.

Although I do not refuse to inform the Colonial Minister of the contents of your note that he may give them such effect as he may think fitting, I must represent to you that the conduct of the authorities at Havana, however anxious the Governments of Spain and England may be to abolish the Slave Trade, has been altogether in conformity with what is laid down by law, seeing that, as long as proceedings are in their preparatory stage, it is not allowed to reveal their results. Feeling, therefore, that in this case the Government of the Queen my august Sovereign cannot, without infringing this law, give the instructions which Her Britannic Majesty's Government desire to see given for the purpose of keeping the said Consul-General informed of the particulars spoken of above in such cases as occur, I avail, &c.

(Signed)

J. F. PACHECO.

No. 194.

Sir J. Crampton to Earl Russell.—(Received June 27.)

My Lord,

Madrid, June 22, 1864.

WITH reference to my despatch of the 26th ultimo, I have now the honour to inclose translation of the reply of the Spanish Minister for Foreign Affairs to my note of the 26th ultimo, requesting that Her Majesty's Consul-General at Havana be permitted to be present at an examination of certain negroes among those captured by the Spanish authorities at Colon, who Her Majesty's Consul-General has reason to believe are British subjects.

Your Lordship will observe that Señor Pacheco refers to the Fiscal Minute ("informe fiscal") which was communicated to Mr. Crawford on the 15th of March as granting him the permission to have access to the captives which he sought. The permission so granted was not, however, what Mr. Crawford required, but the examination by a properly authorized magistrate of the negroes in the presence of Her Majesty's Consul-General or Vice-Consul.

Señor Pacheco further states that the independence of the tribunals would not allow of the intervention of a foreign authority in regard to matters of their competency; and that the negroes in question, whether British subjects or not, are subject to the judicial action of the Spanish Court until it is determined that they are not criminally responsible in the cause instituted in consequence of the capture at Colon.

His Excellency however adds, that the attention of the legal authorities will be called to the decision of this question with the least possible delay, and that if it results that the negroes are British subjects, and were not part of the crew of the slave-vessel, or interested in the expedition, they will be set at complete liberty.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure in No. 194.

Señor Pacheco to Sir J. Crampton.

(Translation.)

Sir,

Madrid, June 18, 1864.

I HAVE the honour to inform you that I have received your note of the 26th ultimo, in which, referring to a former note of the 30th April, you ask, in the name of your Government, permission for Her Britannic Majesty's Consul-General in the Havana to carry out the instructions given him, namely, to interrogate certain negroes captured along with others at Colon, who, the said functionary thinks, he has reason to suppose British subjects.

If, as is to be hoped, Mr. Crawford has informed the Government of Her Britannic Majesty of all the correspondence which took place between the highest Civil Government of Cuba and himself, he will have communicated to them the document which he received from the Prosecutor for the Crown (Fiscal) dated March 18, in which amongst other things he says "that if the British Consul-General will bring forward proofs of the identity and nationality of those negroes, and the Court shall, on consideration of the merits of the case, so resolve, no opposition will be made to these men being examined by Mr. Crawford, or by any other British Agent who should go to the place where such negroes might be."

For the rest, the independence of the Law Courts does not allow the direct interference, in matters within their competence, of a foreign official, and still less when, even allowing the nationality of the negroes of whom you speak to be English, they are still subject to the jurisdiction of a Court until it be proved that they are exempt from criminal responsibility in the action which has been instituted in consequence of the capture made at Colon.

Notwithstanding this, the Government of the Queen my Mistress, wishing to give new proof of their good wishes in respect of all matters that interest Her Britannic Majesty's Government, have stirred up the zeal of the Court of the Indies and that of the Royal Prosecutor of the High Court, to use their respective powers to join in administering justice in these proceedings with all the brevity allowed by law; and if it is determined that the negroes in question are British subjects, and it does not appear that they are either part of the slaver's crew or interested in the expedition, that they shall be set at full liberty.

I avail, &c.

(Signed) J. F. PACHECO.

Earl Russell to Sir J. Crampton.

(Extract.)

Foreign Office, June 27, 1864.

I HAVE received your despatch of the 14th instant, inclosing a report of a debate which took place in the Spanish Cortes on the 11th instant, arising out of certain charges connected with the Slave Trade preferred by Colonel Arguelles, late Lieutenant-Governor of Colon, against General Dulce, the Captain-General of Cuba.

Colonel Arguelles, it appears, is himself charged with having clandestinely sold on his own account 250 negroes who formed part of an expedition landed from the "*Cicéron*" steamer in November last, and on this charge his extradition from the United States has been demanded by the Spanish authorities, and acceded to on the part of the United States' Government, although no Extradition Treaty exists between the two countries.

I transmit, for your information, copies of a despatch and its inclosures on this subject which I have received from Her Majesty's Minister at Washington, and I also inclose copies of papers which Colonel Arguelles has caused to be published in some of the New York journals,* explaining his conduct in this affair.

Whether the charges preferred by this officer against General Dulce are well-founded or not, or whether Colonel Arguelles has been made the victim of the intrigues and machinations of the slave-dealers, it is probable will never be satisfactorily ascertained now that that officer is in the hands of the Spanish Government; but however this may be, the accompanying papers appear to prove the existence of a system of corruption and venality among the Cuban authorities from the highest to the lowest, disgraceful alike to the parties concerned, and to the Government that tolerates the existence of such proceedings.

No. 196.

*Earl Russell to Sir J. Crampton.**Foreign Office, July 2, 1864.*

Sir,

WITH reference to my despatches of the 20th of May and the 3rd of June last, I inclose, for your information, copies of a further correspondence as marked in the margin† which has passed between Mr. Crawford, Her Majesty's Judge in the Mixed Commission Court at the Havana, and myself, on the subject of the negroes captured by the Spanish authorities at Colon in November last, who are said to be British subjects.

I am, &c.

(Signed) RUSSELL.

No. 197.

*Earl Russell to Sir J. Crampton.**Foreign Office, July 4, 1864.*

Sir,

I TRANSMIT to you herewith, for your information, copies of despatches, as marked in the margin,‡ from Mr. Crawford, Her Majesty's Consul-General and Judge in the Mixed Commission Court at the Havana, on matters connected with the Cuban Slave Trade.

I am, &c.

(Signed) RUSSELL.

* No. 298; and Inclosure 1 in No. 256.

† Class A, Nos. 30 and 31; and No. 260, *infra*.‡ Class A, No. 32; and Nos. 257 and 258, *infra*.

No. 198.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, July 6, 1864.

WITH reference to my despatch of the 27th ultimo, I transmit for your information, a copy of a despatch from Her Majesty's Minister at Washington, inclosing a copy of a Message from the President of the United States to the Senate, transmitting papers relative to the surrender of Colonel Arguelles to the Spanish authorities in Cuba.*

I am, &c.

(Signed) RUSSELL.

No. 199.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, July 6, 1864.

WITH reference to my despatch of the 27th ultimo, I inclose, for your information, a copy of a despatch from Her Majesty's Consul-General in Cuba, reporting that Colonel Arguelles, who had been given up by the United States' authorities to the Captain-General of Cuba, has arrived at the Havana, and that he has already been tried and sentenced to the galleys, and is in chains in a dungeon under the battery at the Morro.

The promptness with which this officer has been tried and sentenced for clandestinely disposing of slaves forming part of the large expedition which he had himself been the means of capturing, is in strange contrast with the fact, that the aiders and abettors of the expedition, as well as the individuals to whom Colonel Arguelles sold some of the captured slaves, who are all persons notoriously well known in Havana, still remain unpunished.

You will not fail to remark upon this in any communications which may pass between yourself and the Spanish Ministers relating to this affair.

I am, &c.

(Signed) RUSSELL.

No. 200.

Sir J. Crampton to Earl Russell.—(Received July 11.)

My Lord,

San Ildefonso, July 6, 1864.

I HAVE the honour to inclose the copy and translation of a note dated the 29th ultimo (but which did not reach me until to-day) which I have received from Señor Pacheco, informing me that my communication to his Excellency of the 30th April last respecting the sentence of the Court of Audiencia at Havana, by which the negroes taken in Las Pozas in 1860 were declared slaves, has been communicated to the Ministry of the Colonies, and that the reply of that Department will be communicated to me as soon as received.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure in No. 200.

Señor Pacheco to Sir J. Crampton.

(Translation.)

Sir,

Madrid, June 29, 1864.

YOUR second note, dated 30th of April last, relating to the decision given by the Audiencia of the Havana, declaring the negroes taken at Las Pozas (Cuba) in 1860 to be slaves, has been communicated to the Colonial Office.

As soon as an answer is received from that Office I will communicate it to you, and in the meanwhile I avail, &c.

(Signed) J. F. PACHECO.

* See Inclosure 1 in No. 298.

No. 201.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, July 14, 1864.

I TRANSMIT to you herewith a copy of a letter which I have received from Walter Ridley, a coloured British subject, asking for protection in British ships trading to Cuban ports.

In a despatch which I addressed to Mr. Edwardes on the 31st of July last year I instructed him to bring the state of the Cuban laws affecting British coloured subjects to the notice of the Spanish Government, and you will see that the Marquis de Miraflores, in a conversation which passed between him and Mr. Edwardes, admitted the hardship of the existing laws, and promised to bring the matter under the notice of the Spanish Minister of Marine, with a strong recommendation that he would take the matter into his favourable consideration.

As I have not heard anything further from Mr. Edwardes or from you on this subject, or that any change has been made in the Cuban laws affecting coloured seamen entering Cuban ports, I have to desire that you will again call the attention of the Spanish Government to this matter, with a view to the amendment of the obnoxious laws.

I am, &c.

(Signed)

RUSSELL.

Inclosure 1 in No. 201.

Walter Ridley to Earl Russell.

Honourable Sir,

5, Fynone Street, Swansea, July 3, 1864.

I BEG leave to bring to your notice once more a case most interesting to the Government of Great Britain. I being a free born British subject, and by a testimony of my register of birth, which I now produce, also as a certificated mate sailing in British ships to all parts of the world, I now most humbly beg for a protection, that I may be able to sail in British ships trading between Swansea and the Island of Cuba, without being molested or put in prison by the authorities of the port of St. Jago de Cuba or any other foreign slave ports.

I believe your most noble honour had been apprised of this complaint before; however, unfortunately I received no definite answer since. The Secretary of the Marine Department has had the full particulars of my complaint since last year.

Some of the authorities of St. Jago de Cuba have made a law prohibiting coloured men under the British flag, also British subjects, to enter the port in British ships. They actually took me out of the "Countess of Bective" of Sunderland, and put me in prison, to remain until such time the ship sailed for Swansea, for which cause I now beg for a protection against such absurdity and wrong to free-born subjects of British territories. I have lost several berths in consequence when my ship is destined for St. Jago de Cuba.

I now look forward for a decided answer at the disposal of your most noble honour.

I have, &c.

(Signed)

WALTER A. RIDLEY.

N.B.—Your honour will be kind enough to overlook a trifling error in my original name, the omittance of Augustus and the substitute Brandon, owing to my being so very long from home (Jamaica), and was not properly acquainted with my birth, as you will plainly see I obtained the register lately.

W. A. R.

Inclosure 2 in No. 201.

Certificate of Baptism.

BAPTISMS solemnized in the city and parish of Kingston, in the county of Surrey, in the year of our Lord, One thousand eight hundred and forty-one.

No.	When Baptized.	Child's Name, and when born.	Parents' Name.		Abode.	Quality.	By whom the Ceremony was performed.
			Christian.	Surname.			
491	Dec. 3rd, 1841	Walter Augustus, Born Feb. 1st, 1841	Robert Johnson and Georgiana	Redley his wife.	Heywood Street.	Cabinet Maker.	John Magrath, Island Curate.

Jamaica, ss.

I, John James Vidal, Registrar of the diocese of Jamaica, do hereby certify that the above entry of baptism is a true copy from the Parish Registry of Baptism for the city and parish of Kingston, recorded in the Bishop's Office of Registry, for the year one thousand eight hundred and forty-one.

Witness my hand at Saint Jago de la Vega, this twenty-fourth day of July, Annoque Domini, one thousand eight hundred and sixty-three.

JOHN J. VIDAL, *Registrar.*

No. 202.

Sir J. Crampton to Earl Russell.—(Received July 21.)

My Lord,

San Ildefonso, July 15, 1864.

I HAVE the honour to inclose copy and translation of a note addressed to me by the Spanish Minister for Foreign Affairs in reply to the communication which by your Lordship's instructions I made to his Excellency on the 8th ultimo respecting the capture by a Portuguese man-of-war of the Spanish brig "*Virgen del Refugio*."

Your Lordship will observe that the Spanish Government denies the right of the Portuguese navy to visit Spanish vessels even when engaged in the Slave Trade, and refuses to recognize the sentence of the Prize Court at Loanda, as being, as regards Spain, altogether null. The Spanish Government consequently consider that the case should be referred to the Mixed Court at Sierra Leone, as alone competent to condemn the master of the "*Virgen del Refugio*."

Señor Pacheco's note, though dated at Madrid the 30th ultimo, was only delivered to me here last night.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure in No. 202.

Señor Pacheco to Sir J. Crampton.

(Translation.)

Sir,

Madrid, June 30, 1864.

I RECEIVED the note you were pleased to address to me dated the 8th instant, in which, after giving an account of the seizure by a Portuguese man-of-war of the Spanish brigantine "*Virgen del Refugio*," and the bringing of that vessel before the Prize Court at Loanda to be tried as a slaver, you ask the Spanish Government to hold the owners of the said brigantine responsible, and lastly make known to me that for some time past slavery expeditions have been set on foot at Cadiz, and that all possible means should be taken to remedy such a state of things.

In answer to the said note I have the honour to inform you that Her Majesty's Government will take the necessary steps to prevent vessels which, like the "*Virgen del Refugio*," are charged with carrying on the forbidden trade in slaves, from leaving Cadiz or any other port in the Peninsula; but they cannot admit either the right of the Portuguese navy to visit Spanish vessels even when they appear to be slavers, nor, much less admit as valid the decision of the Prize Court at Loanda. As the said judgment is there-

fore quite null as regards Spain, it will be necessary that the action be brought and referred to the Mixed Prize Court at Sierra Leone, since by its decision alone, if found guilty, could the criminality of the captain of the "*Virgen del Refugio*" be recognized.

I avail, &c.

(Signed) J. F. PACHECO.

No. 203.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, July 22, 1864.

WITH reference to my despatch of the 6th instant, I transmit for your information a copy of a despatch from Her Majesty's Minister at Washington, inclosing copies of further papers relative to the surrender of Colonel Arguelles, which have been laid before the United States' Congress.*

I am, &c.

(Signed) RUSSELL.

No. 204.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, July 26, 1864.

I HAVE received your despatch of the 15th instant, inclosing the reply of the Spanish Minister to the note which you addressed to his Excellency on the 8th instant, relative to the case of the Spanish brigantine "*Virgen del Refugio*," which cleared from Cadiz under the pretence of making a coasting voyage to Villa Garcia, and was subsequently captured by the Portuguese authorities off the coast of Benguella, for attempting to ship slaves from the Portuguese territories.

It appears from M. Pacheco's note that the Spanish Government deny the right of the Portuguese navy to visit Spanish vessels when they appear to be slavers, and refuse to admit as valid the decision of the Prize Court at Loanda condemning the "*Virgen del Refugio*," alleging that the case of this vessel should be referred for adjudication to the Prize Court of Sierra Leone.

I have, however, to observe, with reference to the view taken of this matter by the Spanish Government, that if, as is alleged by the Portuguese authorities, the "*Virgen del Refugio*" was captured within half a mile of the coast of Benguella, it appears to Her Majesty's Government that the adjudication in this case rests properly with the Portuguese Tribunals, and not with the Mixed Commission Court at Sierra Leone.

I am, &c.

(Signed) RUSSELL.

No. 205.

Sir J. Crampton to Earl Russell.—(Received July 26.)

My Lord,

San Ildefonso, July 19, 1864.

IN the course of a conversation which I lately had with Señor Pacheco on the subject of the Cuban Slave Trade, I reverted to the repeated applications to Her Catholic Majesty's Government by this Legation for permission for Her Majesty's ships of war to anchor off the coasts of Cuba at points which would enable them to put a more effective check upon the landing of cargoes of slaves in small vessels, and at places remote from the usual ports.

Finding that his Excellency was unacquainted with the communications addressed to his predecessor on this subject, I have addressed him, at his own suggestion, a fresh note, of which I have the honour to inclose a copy, referring to the dates of the previous communications to which I had alluded.

I have, &c.

(Signed) JOHN F. CRAMPTON.

* See Inclosure 1 in No. 298.

Inclosure in No. 205.

Sir J. Crampton to Señor Pacheco.

M. le Ministre,

San Ildefonso, July 19, 1864.

MR. EDWARDES had the honour to address to the Marquis of Miraflores on the 17th of August last, a communication in which he conveyed to his Excellency the desire of Her Majesty's Government that permission should be accorded to the vessels of Her Majesty's Navy to anchor off certain points of the coast of Cuba, when they cannot do so consistently with the port regulations.

This privilege is sought by Her Majesty's Government in order to enable Her Majesty's cruisers to adopt measures for the more effectual prevention of the landing of cargoes of slaves in small vessels at remote points, a practice which has been resorted to with success by the slave dealers.

Her Majesty's Government attaches importance to the accordance of this permission; and, as I was informed by the Marquis de Miraflores in November last that their request had been referred to the proper Department of Her Catholic Majesty's Government, I shall feel obliged by your Excellency causing me to be informed of the decision which may have been come to on the subject.

I have, &c.

(Signed)

JOHN F. CRAMPTON.

No. 206.

Sir J. Crampton to Earl Russell.—(Received August 11.)

My Lord,

San Ildefonso, August 3, 1864.

I HAVE the honour to inclose the copy and translation of a note which I have received from Señor Pacheco in reply to that which I addressed to his Excellency on the 19th instant, renewing the request of Her Majesty's Government that British vessels of war be permitted to anchor off certain parts of the coast of Cuba, from which they are now excluded.

His Excellency states that he has requested the Minister of the Colonies to explain to him whether there is any reason for not complying with this desire of Her Majesty's Government.

I have, &c.

(Signed)

JOHN F. CRAMPTON.

Inclosure in No. 206.

Señor Pacheco to Sir J. Crampton.

(Translation.)

Sir,

San Ildefonso, July 30, 1864.

IN answer to the note which you were good enough to address to me dated the 19th instant, I have the honour to inform you that its contents have been transmitted to the Minister for the Colonies, in order that he may inform me of the reasons which may prevent consent being given to English cruisers to anchor off certain points of the coast of the Island of Cuba.

I avail, &c.

(Signed)

J. F. PACHECO.

No. 207.

Sir J. Crampton to Earl Russell.—(Received August 11.)

(Extract.)

San Ildefonso, August 3, 1864.

WITH reference to my despatch of the 14th of June last, reporting what had taken place in the Cortés relative to the case of Don José Augustin Arguelles, who had been delivered up by the authorities of the United States to those of Cuba on a charge of having fraudulently sold on his own account a number of negroes imported by the slave traders into that island, and captured by him in the execution of his duty as Lieutenant-Governor of Colon; I have now the honour to inclose copy and translation of certain

articles in regard to it, which have appeared in the "Epoca," a Spanish Ministerial newspaper.

In these articles are published some documents which may be interesting to your Lordship as throwing a certain light upon this extraordinary affair, although some parts of it still appear to me to be involved in a suspicious obscurity.

The attacks on General Dulce's character, in answer to which these articles are written, proceed from newspapers, some of which may represent the Cuban slave-traders, but they are led on by a journal called the "Libertad."

In the article from the "Epoca" of July 13, your Lordship will observe that a letter to General Dulce is produced, purporting to have been written, and which I do not doubt was written, by Arguelles after he was delivered up by the American authorities. In this he not only makes little attempt to conceal his guilt in regard to the main charge against him, but in the most abject terms of repentance and self-reproach he withdraws and implores pardon for the calumnious statements made in his publication at New York on the 18th of April last. This is a declaration which no doubt is of considerable weight, but would have been of greater, had it not been made by a prisoner with a sentence to the galleys hanging over his head.

However complete his withdrawal of the charges against the Captain-General may be, and however evident his motives for bringing them forward at the time he did so, there nevertheless remain in the publication in question, allusions to a variety of circumstances which could scarcely have been all invented for the occasion; and which, taken with those reported by Mr. Crawford to your Lordship in connection with this affair, throw a shade of mystery over the whole matter, and seem to involve some inconsistency in the conduct of the Captain-General towards the most notorious of the slave-dealers.

The enemies of General Dulce have not failed to avail themselves of this feature of the transaction, and although they cannot establish it by positive proof, they draw the conclusion that the Captain-General's boasted zeal against the Slave Trade amounts to little more than his confining his connivance at it to cases in which his particular friends are interested.

A further letter, dated July 15th, from Arguelles to the editor of the "Libertad" has been published (copy and translation of which is inclosed), from which it is to be inferred that his final sentence has not been passed, and that he still entertains hopes of justifying himself. It is written in a different tone from that which he addressed to the Captain-General. Senhor Pacheco informs me that a sentence has already been pronounced against him by a Court-martial, involving degradation from his military rank and honours; but that the case must also be tried before a civil tribunal.

It will be satisfactory to your Lordship to observe that in the text of the articles from the "Epoca," the Slave Trade and the ~~practices~~ connected with it in Cuba are denounced in terms as strong as Her Majesty's Government could desire, and, what is more remarkable, a full admission is made of the inefficiency of the present laws to cope with the slave dealers, supported by the opinion of Marshal Serrano and other Captains-General, almost in the terms in which I have so frequently pressed this matter on the attention of the Spanish Government.

I have not omitted in several late conversations with Senhor Pacheco to urge him upon this subject; but although I received from his Excellency general assurances entirely satisfactory as to his own sentiments regarding slavery and the Slave Trade, I was disappointed at finding that he could give me no hope that the changes in the law which are so essential to its extirpation could now be carried through the Spanish Legislature. Too many interests, he said, would be brought to bear against the proposal. He did not attempt to deny that if the zeal and activity of the Executive were continually defeated by the reversal of their decisions in the Courts of Law, the Spanish Government would be placed in a position in which it could not consent to remain without an effort to remedy such a defect; but he concluded by remarking that there were sometimes evils to which it was necessary to submit in order not to make matters worse by attempting to remove them.

With regard to the affair of Las Pozas, of which I said I thought an investigation would convince him that the Court of Audiencia had pronounced a sentence not only contrary to the decision of the authorities, but grossly and notoriously at variance with the truth of the facts, he promised me that he would examine the case; but observed that it could not be expected that the Spanish Government would accept a discussion of it with a foreign Power on that assumption. He fairly admitted, however, in answer to a remark of mine, that the Slave Trade seemed to corrupt everything with which it came into contact.

The case of Colonel Arguelles was, I observed, an illustration of this; and I asked

him what he thought of that matter. He replied that it and others of the same nature were so painful that he would prefer, if it were possible, not to think of them at all; but that I might feel sure that a full investigation would be made, and that strict justice would be administered in that case. As to the charges made and the suspicions entertained against the integrity of General Dulce, he repelled them as utterly unfounded, and, as a proof of their falsehood, he appealed to the success General Dulce had achieved in effecting a diminution of the Slave Trade in spite of every obstacle.

In general I would remark in regard to Senhor Pacheco's sentiments and views relative to the Cuban Slave Trade, that his assurances of the ability of the Spanish Government to put an end to it by the measures at present within their power, are less sanguine than those of some of his predecessors, but perhaps on that account not less sincere. The opinion expressed to me by his Excellency on this subject is, that a greater question than that of the abolition of the Slave Trade is impending, viz., the abolition of slavery itself. He feels convinced that events which are passing in other parts of the world will bring this question, sooner perhaps than is now expected, before Spain, in such a shape as will render it necessary for her to decide it in the only way in which it can be really solved.

Inclosure 1 in No. 207.

Extract from the "Epoca" of July 12, 1864.

(Translation.)

NO Captain-General of Cuba was ever more bitterly found fault with than is D. Domingo Dulce at the present moment by a portion of the Spanish press. Not a day passes without some dart being thrown, nor is there a single act of his, however sensible, that is not misrepresented and denounced as arbitrary; and with this peculiarity, that the violence of the attack is in proportion to the energy shown by the chief power in Cuba in the persecution of the Slave Trade, that infamous commerce in human flesh, the shame of our century.

What reason is there for this ill-will? On what is grounded this crusade against the person and Government of General Dulce? We do not know. We do know that there are men of evil minds in Madrid, and interests which suffer from the firm uprightness of the Captain-General of Cuba, and all are aware that these evil minds and these interests are making ceaseless and untiring agitation; but as we can scarcely think that any Spanish newspaper would have listened to the hints of personal revenge, or of a shameless trade, though backed with gold, we find it difficult to explain the strange attitude of our colleagues. We shall be allowed, however, to be surprised that while England, who has always been a spy on our Cuban Government, and who has often denounced us to the world as consenting, if not helping in the Slave Trade, is giving, through the mouth of Lord Palmerston, the highest praises to D. Domingo Dulce, and is declaring in full Parliament that no Captain-General ever persecuted "with greater efficacy and success" that shameful trade, there are Spanish papers which attack him with such fury, and so give rise, and God knows our real feelings, to ill-natured interpretation, unjust in truth, but not unpalatable.

The newspaper, which is most forward in abuse of General Dulce, is "La Libertad," which, in order to wound and ill-treat him, is not afraid to take up desperate cases and to hide in its bosom unjustifiable hatred. We fancy that the recollections of 1854 have their influence on the attitude of our colleague, and if so, as seems likely, if the hatred of conquered men is the cause, or better, the inspiration of the present attacks, "La Libertad" may rest in the way it has chosen, assured that General Dulce will gain in the eyes of impartial people in proportion to the ill-will shown him by his old enemies.

The energetic measures which the Captain-General was obliged to take against certain persons, banishing them from the island, where he thought their influence made itself seriously felt, has given room for some of our colleagues, and especially "La Libertad," to make the gravest accusations. All who thoroughly know this question allow that the existing laws are not able to cope with the Slave Trade; almost all the Captains-General, and especially the Marquess of the Havana and the Duke de la Torre, have made conclusive declarations in this sense, the former having resigned because he could not obtain fuller powers for prosecuting slave-traders, and this is the cause of all the difficulties our Colonial Government has to deal with.

Without a doubt there is in the code of the Indies a law which allows a Captain-General to banish those who put the safety of the country in danger; a law which, without stretching, may be applied to the case of those who systematically invade every

right and break international Treaties, and have thus brought serious dangers and difficulties on Spain.

The Spanish name has been insulted, not once, but many times in the English Parliament; we have been threatened with the loss of Cuba; war has been preached against us; it has been said that the heart of the Antilles was an accursed place which should be erased from the map; occasion has been given for our commerce with Africa being jealously overlooked, we may say made useless; it has been asserted that our rule in America was an attack on humanity, and all for the sake of men devoted to an unholy trade which must disappear, which shall disappear, at any cost. What will happen? Why, to-morrow, if we do not take away this pretext from the United States, when the war which now distracts their attention is over, they will send on our colonies the overwhelming weight of their veteran troops; they will invade Cuba on the same cry against slavery which now tears the bosom of the Republic, and the struggle which began in the country of Washington will end in the last fortress held by Spain in the New World. Is it not excusable if, in sight of these dangers, General Dulce has applied to those whom he thought interested in the Slave Trade, the laws which apply to such disturbers of the peace?

The Government of the Marquis of Miraflores at the time thoroughly approves the Captain-General's conduct, and public opinion pardoned him of necessity—a pardon which is always honourable.

And what shall we say of the case of Argüelles, which the blind and obstinate opponents of General Dulce have also seized on? There never was anything more disgraceful than this business; it began with a theft of negroes, went on to an abandonment of post; on this followed a series of libels sent out from a foreign country against the Cuban authorities, then came a retractation, and the whole ended in a condemnation. They must have lost all notion of right and wrong who dare to blame General Dulce for having in satisfaction to his honour and the law, both basely wounded, procured the extradition of the criminal and punished him as he deserved. Passion seems to have blinded the eyes of our colleagues when they can find cause to blame an act which of all others brings to the light the energy and honesty of the Captain-General in his government of Cuba.

The truth is that his administration has gained the sympathies of the Conservative element in Cuban society, which, closely united to the mother country, is an enemy to all that can lower its reputation. Those may blame it who go to Cuba merely to make money, without caring by what means; those may curse it who plunge into speculations forbidden by religion and opposed to the future welfare of the island. Such interests have been wounded, and may appeal to every means for vengeance for their losses; but they cannot touch the good name which General Dulce enjoys among the Cubans—a good name which grows daily great in honour, for it is built up on the everlasting laws of justice and humanity.

Inclosure 2 in No. 207.

Extract from the "Epoca" of July 13, 1864.

(Translation.)

THIS is, plainly and truly speaking, the situation of Cuba, let those say what they will who for low and interested motives well known to us invent facts, publish false and libellous reports, and by every means in their power spread abroad uneasiness and alarm. At a distance they may perhaps partly attain their object; but in the Havana, where their tricks are known, they only excite public opinion against their iniquitous work of perverting the truth. If the state of the island be such as these persons paint it, and if such great perils threaten us as they fancy, how is it that commerce and trade are more flourishing than they ever were? how is it that money is so plentiful as to reduce discounts to the lowest rate? how is it that the public security has not suffered from the reduction by one-half of the strength of the army? But what, we ask, has given a handle to the enemies of Cuban prosperity whereby they have raised these new alarms and forebodings? It is a very simple matter, one of those wretched episodes that attend that abomination, the Slave Trade.

Senor Argüelles, as is known, in obedience to the instructions of the chief authority, captured a gang of a thousand and some Bozals, who were being landed by a steamer on their arrival from the African coast.

The Real Audiencia intervened, and it was discovered during the long and complicated proceedings that the captor had not made over all the Bozals taken, and that about 160

were missing, who he has sold as slaves by the method of altering parish registers and committing other fraudulent falsifications. Whilst the law was bringing these things to light, Señor Argüelles, who was principally implicated, thought it prudent to fly from the difficulty he was in, and went to the United States. There he thought himself safe from prosecution, and began a system of intimidation and scandal, in the hope of forcing the authorities to get rid of his importunity by smothering (as they say) the proceedings. But Argüelles, writes our correspondent, quite misunderstood the high and straightforward character of General Dulce. The treacherous libels with which the pamphlet which now appeared in New York was garnished, only revived the wish of the Captain-General that the facts should be brought to light, the truth discovered, and the guilty found out.

So goes on our correspondent. He asked for and got the extradition granted, and thus gave Señor Argüelles the only legal means of proving his innocence and confounding his persecutors, as he calls them. If any mistakes or omissions have been made in this short review, the adjoined document will suffice, and there is no harm in publishing it, as it is included in the papers of a trial already decided before a council of war. It is the copy of Señor Argüelles' second letter written on board the steamer which was carrying him to the Havana. In it you will see on his own confession the base design with which his pamphlet was published in New York. Make your own reflections on this wretched and pitiful letter. For my part, I do not know what most disgusts me in it.

There is so much contradiction in the attacks made on General Dulce, that common sense is more than enough to make dust of them. It is a fact that slaving expeditions have been captured; and it is also a fact that no attempt of this sort has succeeded. Now if these expeditions belonged to the owners supposed, and if these were General Dulce's friends, what sort of favour or protection is it he has shown them? Let all who can, investigate the matter, although the motive and object of the accusation is already known.

It is hard that while the country is obliged to give all her attention and power to make head against the difficulties and dangers, within and without, which trouble the strongest and calmest minds; it is hard that while the American war and the Dominican rebellion impose grave responsibility and necessity for great prudence on the high authority of Cuba; that while this authority by his tact and energy, or if you will, by his good luck, has known how to maintain public order, giving confidence and blind trust to all, and driving the least fear of danger from every mind; that whilst in the midst of such difficulties he has succeeded in creating a state of prosperity such as never was in Cuba or even in America, that at that time you editors should think of attacking his good name and influence.

They certainly will not succeed who attack him so cowardly. General Dulce will go on, strong in the approval of his conscience and in the uprightness of his course, taking painful care of the well-being of Cuba and his country. After all, he has the good or bad luck as yet that the eternal maligners of authority have not said so much against him as was said in their time and even since against his worthy and honourable predecessors.

Here is the letter of which our correspondent speaks:—

“ My Lord Marquess of Castelflorite :

“ My General: and Sir,

“ On board the ‘ *Aquila*,’ May 12.

“ Far from making any resistance when they came to take me, which would have been useless, I gave myself up without a word, and so it was that all passed without notice. Such an act is a grave one in that country; but I take away all responsibility by publishing here that I came away of my own will. Such is the object of the inclosed letters for New York which your Excellency may have posted.

“ I have no wish to publish anything more, and was giving up everything to go to Mexico on the 20th. My mind was heavy, and is so now, for the one thing I had published.

“ What the ‘ *Herald* ’ wrote was the cause of my losing my head on seeing myself thus savagely attacked by a foreign newspaper, and this was the only thing that could have induced me to make angry publications which my cooler judgment showed me later could only fall back on my own head. For this reason I declined answering the ‘ *Chronicle*,’ alleging that I found it subventioned (‘ *subvencionada* ’).

“ I now solemnly and entirely deny all that I published on the 18th. Accept, General, this solemn and just satisfaction. You will be greater in showing yourself generous, and that you are.

“ I wrote to X that I was going to publish a pamphlet on two epochs, and to set up a newspaper, whose object should be to try and break off the action, or make them come to him to get him to dissuade me, and end the whole matter.

"I also wrote to poor Roman Sanchez because he was familiar with you and knew my good wishes, and told him my fixed purpose, that he might influence you to the end at which I aimed.

"I did more. I had a long interview with the Consul, in the idea that he and Tassara would write to you about the advantage of desisting from everything, so as to avoid inconvenient publications. This was last month.

"You shall have all, all my papers, and when you see them you will be convinced that everything I said I meant to publish has no other object than to oblige you to break off the proceedings.

"That there is nothing amongst them that could displease you, and that what I had written of my statement to Congress is worthy and temperate, relating merely to considerations about the Slave Trade.

"You know that I thought by the complete abolition of this infamous trade the fortune of Cuba would be favourably changed, because that would help to resolve the much-vexed question of slavery.

"But I repeat I had left off all my plans and was going to Mexico. Santelius has seen proofs of the truth of this.

"Two other communications, one for Mon and the other for the 'Reino,' denying all that I said against you on the 18th, when I was deceived by this falsehood they wrote me from Havana. When you find these letters amongst my papers, do not I beg punish but despise the writers. Perhaps they may have been deceived.

[NOTE.—General Dulce, according to our correspondent, did not wish to see any of these papers, and perhaps they are apocryphal: but even if they should be true, the writers may be easy, as he does not know who they are nor cares to know. Perhaps the law may think otherwise.]

"It is very necessary that the marquess should come.

[NOTE.—This marquess is a French adventurer, who has taken the title of Le Marquess de Sard.]

"Amongst my papers you will find the copy of a letter written to Almonte last month, telling him of my proposed going to Mexico, and asking leave for the Marquess.

[NOTE.—It appears he was formerly in Mexico, where he left many debts and little property.]

"All this, General, will show you my great wish, my repugnance to publish, and my anxiety to prevent it.

"I was hasty when I left the Havana. I was offended with the 'Herald,' and deceived by the reports they wrote me. I saw black where there was white. I was then ungrateful and unjust to you. I see my fault. I would give all I have to efface it. I publicly retract, because you deserve that and more. I beg pardon and compassion by the memory of your son. But only pardon for my sins against you, not for the action of the capture. In my declaration I will show myself noble and worthy by correcting my errors without accusing any.

"I am suffering much. Affection, liberty, my interest, I have lost all in a moment. They treated me ill who took me, and only the gentlemanly conduct of Santelius has a little eased my troubles. But I am unwell, and my punishment chokes me.

"How much it would please me did you deign to hear me!

(Signed)

"JOSE AGUSTIN ARGUELLES."

Inclosure 3 in No. 207.

Extract from the "Epoca" of July 15, 1864.

(Translation.)

THE letters of the unfortunate Arguelles, since he who has given the sad spectacle already known to our readers deserves no other name, increase in interest. Here is one which he has just addressed to an opposition newspaper, and which forms a great contrast to those which he wrote to General Dulce.

"To the Director of the 'Libertad.'

"Sir,

"Castillo del Morro de la Habana, July 15, 1864.

"I beg you will be so good as to make public the following manifestation.

"The defence made in favour of the Captain-General of the Island of Cuba in the Session of the Senate of the 11th of June last, can only signify the fulfilment of friendly duties, as I do not believe that there was any intention of prejudging and still less of aggravating questions which are *sub judice*, especially when the attack was made upon a man shut up in a dungeon as I am, without means of defending myself.

"It showed, nevertheless the great service rendered by me in November last, and that I did not go to New York without leave.

"The history of my extradition will one day be known to the public, as all the rest.

"I beg the public in the meantime to suspend their judgment until time with its just and inexorable sentence shall have made manifest the true facts.

"I am, &c.

(Signed) "JOSE AGUSTIN ARGUELLES."

No. 208.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, August 11, 1864.

MR. DUNLOP, Her Majesty's Consul at Cadiz, has forwarded to me a copy of a despatch which he addressed to you on the 29th ultimo respecting the equipment of slave-vessels at that port and in the ports of the south of Spain generally.

I have already, on former occasions, instructed you to call the attention of the Spanish Government to the fact that the port of Cadiz is extensively used by the slave-dealers as a place of equipment for their vessels, and you will not fail to make use of the additional information on this point contained in Mr. Dunlop's despatch in such manner as you may deem most efficacious in putting a stop to the equipment of slavers in Spanish ports.

It has been repeatedly maintained by the Spanish Government that the Cuban Slave Trade is carried on by foreign vessels equipped and despatched from foreign ports, but there can be no doubt that since the equipment of vessels in the United States' ports has been put a stop to, a great number of slave-vessels, perhaps the majority, are fitted out in Spanish ports, and Her Majesty's Government cannot but consider this to be an additional ground of complaint against Spain for the non-fulfilment of her Treaty engagements for the suppression of the Slave Trade.

I am, &c.

(Signed) RUSSELL.

No. 209.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, August 16, 1864.

WITH reference to former correspondence respecting the movements of the notorious Spanish slave-steamer "*Cicéron*," I inclose for your information a copy of a despatch from the Acting British Consul at Porto Rico,* containing further information respecting this vessel.

I also inclose a copy of a despatch from Her Majesty's Consul at Lagos,† which coupled with the information contained in a despatch dated the 21st ultimo, already communicated to you by Her Majesty's Consul at Bilbao, would lead to the inference that the "*Cicéron*," did not succeed in embarking a cargo of slaves on her last trip to the African coast.

I am, &c.

(Signed) RUSSELL.

No. 210.

Sir J. Crampton to Earl Russell.—(Received August 18.)

My Lord,

San Ildefonso, August 8, 1864.

I HAVE the honour to inclose a translation of the reply of the Spanish Minister for Foreign Affairs to the note which I addressed to his Excellency on the 15th of May last, and of which copy was forwarded to your Lordship with my despatch of the same date, requesting that instructions should be given to the authorities of Cuba to furnish Her Majesty's Consul-General with information in regard to the slave-trading vessels which

* No. 278.

† No. 18.

may from time to time be captured by them, and also, if possible, with the names of the localities on the African coast from whence the slaves were shipped.

Your Lordship will observe that Señor Pacheco states that the Cuban authorities had not and would not place the slightest obstacle in the way of Her Majesty's Consul-General in regard to such information, provided he stated his object, and that this was found to be in accordance with existing Treaties, and provided the legal proceedings taken in the cases in question were not at a stage which rendered it impossible for the Judge or the authorities to divulge any of the particulars without incurring a legal responsibility by so doing.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 210.

Señor Pacheco to Sir J. Crampton.

(Translation.)

Sir,

San Ildefonso, August 3, 1864.

THE Minister of the Colonies, to whom I duly referred your note of the 15th of May last, informed me on the 24th of June last that, except in the cases when summaries of the cases were being made, and the state of the operations did not permit the communication or publicity of the proceedings, the authorities of the Island of Cuba had not placed and would not place the slightest obstacle in the way of the British Consul receiving such information as he might think fit to demand, always provided he stated his object, and it was found to be in accordance with the spirit and letter of the existing Treaties; but if, as appears from your note and the communications accompanying it, the Government of Her Britannic Majesty wish that the authorities of Cuba should inform the Consul of whatever he may ask, without stating the object for which he asks for it, and without considering the state of the proceedings, the Minister of the Colonies is sorry not to be able to accede to that pretension, and far from censuring, approves the reserve observed by the authorities in the particular case which gave rise to the claim of the British Government.

The lawsuit relative to the capture made at Morid, was being reported upon, and a Judge of "Audiencia" was taking the necessary steps for the investigation of the crime, of the circumstances under which it was committed, of its authors and their accomplices; and when it was in this state Mr. Crawford applied to the administrative authority and demanded an exact report of the occurrence, as well as the name of the captured vessel, that of the captain, the flag under which she sailed, the place of the capture, and the place where the slaves on board were taken, the number of persons found on board and their nationality, giving as a reason for the last a report that a certain person named Garcia had embarked in a vessel on the coast of Cuba, where he was found when the capture took place, and the only reason he gives for claiming all this information is that he considers it of great importance. Her Britannic Majesty's Government cannot be ignorant that the summary of a criminal proceeding is, according to Spanish law, kept completely secret, and that until the "plenary" stage, this secrecy cannot be broken, not even by the presiding Judge, without incurring a penal responsibility, nor by the authority of Her Majesty's Government; and it is aware also that neither according to the letter nor the spirit of existing Treaties, are Consuls empowered to meddle with the cognizance of lawsuits, nor to share the exercise of the judicial authority appointed to punish those crimes, by which means alone he could become acquainted with the operation of the summary; and lastly, it is not ignorant that the appreciation of the importance of the data which have to be obtained, and the steps which have to be taken in order to attain the object of this operation, must be left entirely and without limit, either direct or indirect, to the presiding Judge, who is alone responsible for the course of the proceedings in this state.

It is to be hoped that Her Britannic Majesty's Government, who always respect the inviolability of judicial forms, will take note of these well-founded reasons, and will not fail to appreciate, in his just and elevated judgment, the motives which oblige Her Majesty's Government not to comply with the request which forms the object of the communications referred to.

I avail, &c.
(Signed) J. F. PACHECO.

No. 211.

Sir J. Crampton to Earl Russell.—(Received August 18.)

My Lord,

San Ildefonso, August 9, 1864.

I HAVE the honour to inclose copy and translation of a note which I have received from the Spanish Minister for Foreign Affairs in reply to that which I addressed to his Excellency on the 26th of April last (and of which copy and translation were forwarded to your Lordship with my despatch of the same date), pointing out that the fact known to the Spanish Government of the notorious slaving-vessel "*Cicéron*" having landed in the month of November 1863, 1,005 Bozal negroes, was sufficient to afford ample grounds for the prosecution of her owners and crew, independently of the Treaty of 1855.

Señor Pacheco now states that the evidence of the "*Cicéron*" having been the vessel from which the negroes in question were landed, now in the possession of the Spanish Government, is not sufficient legally to establish the fact, but that the authorities of Cuba have been moved to furnish the data wanting in order to justify the proceedings against that vessel.

I have, &c.

(Signed) JOHN. F. CRAMPTON.

Inclosure in No. 211.

Señor Pacheco to Sir J. Crampton.

(Translation.)

Sir,

San Ildefonso, August 9, 1864.

IN the note which you were good enough to address to me, dated the 26th of April last, acknowledging the receipt of those which I transmitted to you on the 20th and 24th of the same month, you express a certain surprise that the Government of Her Majesty the Queen, my august Sovereign, do not proceed immediately against the captain and crew of the steamer "*Cicéron*," when it was to be presumed that they had official and judicial evidence of the said vessel being the same which disembarked at Colon a certain number of Bozal negroes who had been captured.

According to the information given me by the Minister of the Colonies, to whom I referred your above-mentioned note, the only datum which exists in that Department relative to the steamer "*Cicéron*" is that, in the declaration of one of the accused; in consequence of that capture, it is stated that the negroes had been placed on board the said vessel, which had indeed been bought at Liverpool. From the suit which is being carried on by the Audiencia of Habana, and from the antecedents which must come to the knowledge of the Government of the Island of Cuba, other data may perhaps come to light relative to this affair, by which it will be possible to form a more certain judgment of the imputation cast upon the said vessel; but from the simple manifestation of one of the accused, while the suit is still pending, and the Government of Her Majesty are still ignorant of its proofs and result, it is not possible to accept as correct the assertion that the Government of Her Majesty possess official and judicial evidence of the said vessel being the same which, in the month of November of last year, disembarked in that island the negroes who were captured by the authorities of Colon. In order to obtain this evidence, and consequently to adopt the administrative measures which may have to be taken, or to stimulate the tribunals to take such measures as may be in their power, the Minister of the Colonies has applied to Cuba for the necessary data.

I avail, &c.

(Signed) J. F. PACHECO.

No. 212.

Sir J. Crampton to Earl Russell.—(Received September 2.)

My Lord,

San Ildefonso, August 27, 1864.

I HAVE the honour to inclose copy and translation of a note which I have received from the Spanish Minister of Foreign Affairs, acquainting me, according to information received from the Spanish Marine Department, that the slave-steamer "*Cicéron*" had not arrived either at Cadiz or at Huelva, and that for this reason there was no opportunity of

effecting the intended examination of that vessel whenever she should arrive at either of those ports.

I have also the honour to inclose the copy of a note which I have addressed to Señor Pacheco, transmitting copies of the document forwarded to me by Her Majesty's Government, which throw light upon the movements of this vessel.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure 1 in No. 212.

Señor Pacheco to Sir J. Crampton.

(Translation.)

Sir,

San Ildefonso, August 23, 1864.

I HAVE the honour to bring to your Excellency's knowledge that, according to the information received by the Minister of Marine, the steamer "*Cicéron*" had not yet arrived up to the end of the month of June at either Cadiz or Huelva, and that this is the reason why it has not been possible to effect the examination of this vessel, which must be carried out whenever she presents herself at either of those ports.

In giving your Excellency this information, in addition to that contained in my note of the 16th of May, I renew the assurances of my most distinguished consideration.

(Signed) J. F. PACHECO.

Inclosure 2 in No. 212.

Sir J. Crampton to Señor Pacheco.

M. le Ministre,

San Ildefonso, August 27, 1864.

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 23rd instant, acquainting me that according to the information received by the Minister of the Marine, the slave-steamer "*Cicéron*" had not arrived either at Cadiz or at Huelva, and that for this reason it had been impossible to effect the examination which would have taken place upon her arrival at either of those ports.

With reference to this vessel I have now the honour to inclose documents which have been communicated to me by Her Majesty's Government, and which throw some light upon her movements, being despatches addressed to Earl Russell by Her Majesty's Consuls at Bilbao, at Puerto Rico, and at Lagos.

I avail, &c.
(Signed) JOHN F. CRAMPTON.

No. 213.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, September 8, 1864.

WITH reference to my despatch of the 22nd of July, and to former correspondence relative to the case of Colonel Arguelles, I inclose for your information a copy of a despatch from Her Majesty's Acting Consul-General in Cuba,* offering some remarks on this case.

I am, &c.
(Signed) RUSSELL.

No. 214.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, September 8, 1864.

I TRANSMIT to you herewith, for your information, copies of despatches as marked in the margin,† from Her Majesty's Acting Consul-General at the Havana, on matters connected with the Cuban Slave Trade.

* No. 266.

† Nos. 267 and 268.

With regard to the alleged landing of a cargo of from 1,000 to 1,500 slaves at La Teja, which forms the subject of Mr. Crawford's despatch of the 6th ultimo, I have to observe that it is very probable that this landing did not take place.

The slave-steamer expected was evidently the "*Cicéron*," and there is every reason to believe from the accounts which have reached Her Majesty's Government respecting this vessel, and which have been communicated to you, that the "*Cicéron's*" last expedition to the African Coast to procure slaves was unsuccessful.

You will not, therefore, lay any stress upon this case in any communications which may pass between you and the Spanish Government on this subject.

I am, &c.
(Signed) RUSSELL.

No. 215.

Sir J. Crampton to Earl Russell.—(Received September 10.)

My Lord,

San Ildefonso, September 6, 1864.

I HAVE the honour to inclose copy and translation of a note which I have received from the Spanish Minister for Foreign Affairs, informing me in reply to my communication to his Excellency, of the 27th ultimo, regarding the slave-steamer "*Cicéron*," that orders have been given for the examination of that vessel and her papers if she arrives in any of the ports of Cuba.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 215.

Señor Pacheco to Sir J. Crampton.

(Translation.)

Sir,

San Ildefonso, August 31, 1864.

IN announcing to your Excellency that I have received your note of the 27th instant, to which are annexed copies of three despatches addressed to the Government of Her Britannic Majesty by their Agents at Bilbao, Puerto Rico, and Lagos, respecting the Spanish merchant-steamer "*Cicéron*," I have the honour to inform you that, there being reason for suspecting that that vessel has left Marseilles for the Coast of Africa with the object of engaging in the Slave Trade, orders have been given to the Commandant of the Harbour of Havana to take measures for proceeding to a vigorous examination of both the vessels and her papers, should the above-named "*Cicéron*" appear in any of the ports under his (the Commandant's) jurisdiction.

I avail, &c.
(Signed) J. F. PACHECO.

No. 216.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, October 6, 1864.

I TRANSMIT to you, for your information only, a copy of a despatch from Her Majesty's Acting Consul-General at Havana,* reporting a conversation which he held with General Dulce on matters connected with the Slave Trade.

I am, &c.
(Signed) RUSSELL.

Sir J. Crampton to Earl Russell.—(Received October 3.)

My Lord,

Madrid, September 29, 1864.

I HAVE the honour to transmit to your Lordship herewith copy and translation of a note which I have received from Señor Llorente, by which it appears that no sufficient evidence has been elicited during the judicial inquiry held at Havana, to establish the culpability of the "*Cicéron*."

I have &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 217.

Señor Llorente to Sir J. Crampton.

(Translation.)

Sir,

Palace, September 27, 1864.

IN addition to the information which I had the honour to transmit to you by my note of the 31st of August last, respecting the merchant-steamer "*Cicéron*," I have the honour to communicate to you some observations from the Minister of the Colonies, to whom the remonstrances of your Legation were transmitted.

According to intelligence received from the Court of Havana, the minute investigation which has been set on foot has not hitherto been productive of the results anticipated. The want of agreement in the declarations of the witnesses called to give evidence, and the consequent delays which have arisen in establishing the nature of the crime itself which is being investigated, is the cause that no action can be commenced against the "*Cicéron*," which has been the subject of your Excellency's remarks, nor against the "*Elvira*," mentioned by others, nor against any other vessel, as long as their culpability is not verified, and the executory sentence which condemns them does not devolve upon them.

I avail, &c.
(Signed) A. LLORENTE.

No. 218.

Sir J. Crampton to Earl Russell.—(Received October 19.)

My Lord,

Madrid, October 15, 1864.

WITH reference to my despatch of May 26th, I have the honour to transmit to your Lordship copy and translation of a note addressed to me by Señor Llorente, in which his Excellency states that it results from the investigation held by the Court of Audiencia of Havana, relative to the disembarkation of negroes at Colon, that no British subjects were found among the number of negroes disembarked from the slaver "*Cicéron*," and that consequently the suspicions entertained by Mr. Consul-General Crawford turned out to be unfounded.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 218.

Señor Llorente to Sir J. Crampton.

(Translation.)

Sir,

Palace, October 12, 1864.

IN addition to the information communicated to you by my predecessor, Señor Pacheco, on the 18th of June last, respecting the disembarkation of negroes which had taken place at Colon, amongst whom it was supposed that there were some Kroomen, subjects of Her Britannic Majesty, I hasten to announce to you that on the completion of the investigation set on foot for this purpose by the Court of Havana, at the instigation of the Captain-General of the Island of Cuba, it does not appear that the suspicions entertained by the British Consul-General in Havana were well founded, since only the negro

Latevi, marked No. 3,990, declared that he was English, in consequence of being in the service of a subject of Great Britain (although there was no proof of this statement beyond his own assertion), and, on the other hand, he denied that he belonged to the class denominated Kroomen.

I avail, &c.
(Signed) A. LLORENTE.

No. 219.

Earl Russell to Sir J. Crampton.

Sir, *Foreign Office, October 17, 1864.*
I TRANSMIT to you herewith, for your information, copy of a despatch from Mr. Grattan, Her Majesty's Consul at Teneriffe,* stating that the master and crew of the Spanish ship "*America*," recently condemned in the Mixed Commission Court at Sierra Leone, were landed at Teneriffe by Her Majesty's ship "*Gladiator*," on the 13th ultimo, and delivered over to the Spanish authorities of that province for trial.

I am, &c.
(Signed) RUSSELL.

No. 220.

Earl Russell to Sir J. Crampton.

Sir, *Foreign Office, October 20, 1864.*
I HAVE to instruct you to acquaint the Spanish Government that Mr. Robert Bunch, late Her Majesty's Consul at Charleston, has been appointed to succeed Mr. Crawford as Judge in the British and Spanish Mixed Commission Court at the Havana, established under the provisions of the Treaty of June 28, 1835, between Great Britain and Spain, for the suppression of the Slave Trade.

Mr. Bunch will proceed to his post by the packet appointed to leave this country on the 2nd of next month, and I have to instruct you to request that this appointment may be made known to the Cuban authorities.

I am, &c.
(Signed) RUSSELL.

No. 221.

Earl Russell to Sir J. Crampton.

Sir, *Foreign Office, October 25, 1864.*
I TRANSMIT to you herewith for your information a copy of a despatch from Her Majesty's Acting Judge at Sierra Leone,† forwarding copies of the evidence and judgment in the case of the Spanish ship "*America*," condemned in the British and Spanish Mixed Commission Court at that place, on the 25th of August last, as being engaged in the Slave Trade.

I am, &c.
(Signed) RUSSELL.

No. 222.

Sir J. Crampton to Earl Russell.—(Received October 31.)

My Lord, *Madrid, October 24, 1864.*
I HAVE the honour to inclose the copy of a note which, in obedience to the instructions contained in your Lordship's despatch, I have addressed to the Spanish Minister for Foreign Affairs, informing his Excellency of the appointment of Mr. Bunch

* No. 282.

† Class A, No. 20.

to be Judge of the British and Spanish Mixed Court at the Havana, and requesting him to cause this appointment to be made known to the Spanish authorities in Cuba.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure in No. 222.

Sir J. Crampton to Señor Llorente.

M. le Ministre,

Madrid, October 24, 1864.

I HAVE the honour to inform your Excellency that Mr. Robert Bunch, late Her Majesty's Consul at Charleston, in the United States, has been appointed to succeed Mr. Crawford, deceased, as Judge of the British and Spanish Court at the Havana, established under the Treaty of the 28th of June, 1835, between Great Britain and Spain, for the suppression of the Slave Trade.

Mr. Bunch will proceed to his post by the packet appointed to leave this country on the 2nd of next month, and I have consequently to request your Excellency to be so good as to cause this appointment to be made known to the authorities of Her Catholic Majesty in Cuba.

I avail, &c.

(Signed) JOHN F. CRAMPTON.

No. 223.

Earl Russell to Sir J. Crampton.

Sir, *Foreign Office, November 1, 1864.*

I TRANSMIT to you herewith, for your information, a copy of a despatch from Her Majesty's Commissioners at the Cape of Good Hope,* reporting upon the state of the Slave Trade on the East Coast of Africa during the past year.

I am, &c.

(Signed) RUSSELL.

No. 224.

Sir J. Crampton to Earl Russell.—(Received November 12.)

My Lord,

Madrid, November 7, 1864.

I HAVE the honour to inclose the copy of a note which, in compliance with the instructions contained in your Lordship's despatch of the 31st ultimo, I have addressed to the Spanish Minister for Foreign Affairs, requesting that orders may be given to the Captain-General to act in conformity with the provisions of the Treaty of 1836 as regards the vacancy of one of the Judgeships in the Mixed Court at the Havana, and that he may, as has heretofore been the practice, address his communications to Her Majesty's Commissary Judge personally.

I have also expressed the wish of Her Majesty's Government that Señor Toca may not be appointed by Her Catholic Majesty's Government to be Judge in the Mixed Court.

Observing that Mr. Crawford in his letter of the 20th of July to the Captain-General refers his Excellency to Article IX, paragraph 3, of the Treaty, and finding that the provision in question is not contained in that Article, but in the 3rd paragraph of the IXth Article of Annex B to the Treaty, I have made the necessary correction in my note to Señor Llorente.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure in No. 224.

Sir J. Crampton to Señor Llorente.

M. le Ministre,

Madrid, November 6, 1864.

I AM instructed by Her Majesty's Government to bring under your Excellency's attention a proceeding on the part of his Excellency the Captain-General of Cuba in regard to the appointment of a Spanish Judge in the Mixed Court established there for the suppression of the Slave Trade, which appears to Her Majesty's Government not to be in accordance with the provisions of the Treaty by which the attributions of those Courts are regulated.

Upon the resignation of the Spanish Judge in the Mixed Court at the Havana, Don Jozé Manuel Espelius, the Captain-General named as his successor Don Rafael Toca, and this appointment was communicated to the British Commissary Judge, the late Mr. Crawford, by a letter addressed to him on the 18th of July last by the Secretary of the Captain-General.

Your Excellency, on referring to the terms of the 3rd paragraph of Article IX of the Annex B of the Treaty between Great Britain and Spain, signed the 28th of June, 1835, will at once perceive that the appointment thus made by the Captain-General is at variance with its provisions, because that Article provides for the occurrence of vacancies under the circumstances of that caused by the resignation of Don Jozé Manuel Espelius, until the pleasure of Her Catholic Majesty, with whom rests the nomination of a successor, is made known to the Mixed Court. With reference to this subject, and as affording a precedent as to the legitimate manner of proceeding, the official communications dated April 3rd and April 30th, made by Captain-General Don Jozé de la Concha, by the latter of which he announces to the Mixed Court Her Catholic Majesty's Royal order appointing the late Judge to the office which had become vacant by the resignation of the Marquis de la Esteva, may be referred to.

Her Majesty's Government do not doubt that it is only necessary to bring the above facts to the knowledge of Her Catholic Majesty's Government in order to insure the adherence of the Captain-General to the terms of the Treaty in this respect.

As it appears to have been the practice of the Captains-General of Cuba to address personally the officers appointed by Her Majesty to act as Consul-General and Judge instead of doing so through their Secretaries, Her Majesty's Government trust that the present Captain-General may be instructed not to withhold, as he has done in this case, the courtesy which has been usual on similar occasions.

With respect to the appointment of a successor to Don Manuel Espelius, I am directed by Her Majesty's Government to express the hope that the person selected by Her Catholic Majesty's Government may not be Don Rafael Toca.

Her Majesty's Government feel confident that the Spanish Government, upon a consideration of the circumstances of the case, will agree with them in the opinion that the appointment of that gentleman would be undesirable.

I avail, &c.

(Signed) JOHN F. CRAMPTON.

No. 225.

Earl Russell to Sir J. Crampton, December 7, 1864.

[See No. 21.]

No. 226.

Earl Russell to Sir J. Crampton.

Sir,

Foreign Office, December 7, 1864.

I TRANSMIT herewith, for your information, copies of two despatches from the Acting British Consul-General in Cuba,* on matters connected with the Cuban Slave Trade.

I am, &c.

(Signed) RUSSELL.

* Nos. 272 and 274.

SPAIN. (*Consular*)—*Barcelona*.

No. 227.

Earl Russell to Consul Baker, March 22, 1864.

To watch for "*Cicéron*," suspected slaver.

[See No. 77.]

No. 228.

Consul Baker to Earl Russell.—(Received March 30.)

My Lord,

Barcelona, March 26, 1864.

I HAVE the honour to acknowledge the receipt last evening of a despatch from the Foreign Office dated the 22nd instant, acquainting me with the character of a steamer called the "*Cicéron*," which has been recently engaged in the Slave Trade with Cuba, and was expected to come to Europe with a cargo of cotton from Matamoros.

On proceeding at once to examine the shipping intelligence of this port, I find that a steamer under that name did arrive here on the 8th instant from Matamoros with a cargo of cotton, consigned to Messrs. Lama and Co.; that she landed her cargo here and proceeded in ballast to Marseilles on the 14th instant, from whence she has not returned; should she hereafter do so, I shall not fail to carry out the instructions conveyed to me in that despatch.

I have this day communicated a copy of the despatch respecting the "*Cicéron*" to Her Majesty's Consul at Marseilles, and have no doubt that Mr. Mark will report to your Lordship the movements of that vessel.

I have, &c.

(Signed) JAMES BAKER.

SPAIN. (*Consular*)—*Bilbao*.

No. 229.

Earl Russell to Consul Young.

Sir,

Foreign Office, February 22, 1864.

I HAVE received information which leads me to believe that a steamer called the "*Luisa*," stated to belong to Don Juan de Zulueta of Havana, cleared from Bilbao in time to enable her to reach the West Coast of Africa towards the end of December last, where arrangements were made to ship slaves on board of her.

I have to instruct you to make inquiries as to the truth of this intelligence, and to discover, if possible, the names of the parties interested in the "*Luisa*."

I am, &c.

(Signed) RUSSELL.

No. 230.

Consul Young to Earl Russell.—(*Received March 9.*)

My Lord,

Bilbao, March 5, 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 22nd ultimo, instructing me to make inquiries as to the truth of certain information which your Lordship has received respecting a steamer called the "*Luisa*," stated to belong to Don Juan de Zulueta of Havana, and to have cleared from Bilbao in time to enable her to reach the West Coast of Africa towards the end of December last, where arrangements were made to ship slaves on board of her.

In reply, I have the honour to report to your Lordship that no steamer called the "*Luisa*" has cleared from Bilbao, and that from diligent inquiries I have made, I am satisfied that no other steamer has cleared from this port under the circumstances and with the objects above referred to. So far, therefore, I believe there is no truth in the intelligence which has been conveyed to your Lordship.

In the course of these inquiries, however, the following particulars have come to my knowledge, which may throw light either on the transaction which has been brought to your Lordship's notice or on another equally nefarious.

In the month of September last a steamer under British colours sailed from Cardiff and proceeded to Cadiz, where she took in men and stores and cleared for Matamoros, but proceeded to the West Coast of Africa, where she shipped upwards of 1,000 slaves, who were landed at the Havana, and liberated three days afterwards by the authorities. The steamer however got clear off, went on to Matamoros, from whence she is shortly expected to arrive in Europe with a cargo of cotton.

It is impossible for me to ascertain the name of this steamer, but there is every reason to believe that she belongs to the person named in your Lordship's despatch, and that there are parties in Bilbao interested in and connected with this transaction, and that they are the same as those to whom I referred as being the owners of the Spanish steamer "*Noc Daqui*," which case I reported in my despatch of the 5th January, 1863.

I have, &c.

(Signed) HORACE YOUNG.

No. 231.

*Earl Russell to Consul Young, March 30, 1864.*To watch for "*Cicéron*," suspected slaver.

[See No. 77.]

No. 232.

Consul Young to Earl Russell.—(*Received April 4.*)

(Extract.)

Bilbao, March 30, 1864.

I THINK it right to report to your Lordship that I have been this day informed on good authority that the "*Cicéron*," formerly the British steamer "*Elvira*," arrived about the middle of the present month at Barcelona, where she delivered a cargo of cotton, and went on to Marseilles, at which port the captain and crew left the vessel, proceeding by land to Bilbao, in the neighbourhood of which they arrived two days since.

No. 233.

Mr. Murray to Consul Young.

Sir,

Foreign Office, April 4, 1864.

I AM directed by Earl Russell to desire that you will use your best endeavours to ascertain the movements of the parties referred to in your despatch of the 30th ultimo as having arrived in the neighbourhood of Bilbao, of which you will keep Her Majesty's Government and Her Majesty's Minister at Madrid informed.

I am, &c.

(Signed) JAMES MURRAY.

Consul Young to Earl Russell.—(Received April 16.)

(Extract.)

Bilbao, April 11, 1864.

I HAVE the honour to acknowledge the receipt of Mr. Murray's despatch of the 4th instant, instructing me to endeavour to ascertain the movements of the captain and crew, late of the Spanish steamer "*Cicéron*," who recently arrived from Marseilles in the neighbourhood of this port.

I have the honour to report to your Lordship that I have ascertained that the parties referred to express their decided intention not to enter again in a similar service to that on which they have been lately engaged.

I have also every reason to believe that overtures have been made to these parties to undertake another expedition, and that the "*Cicéron*" is preparing for another voyage to the West Coast of Africa.

No. 235.

Consul Young to Earl Russell.—(Received July 26.)

My Lord,

Bilbao, July 21, 1864.

I HAVE the honour to report to your Lordship the following intelligence, some portion of which it is possible may not yet have been conveyed to Her Majesty's Government respecting the Spanish steamer "*Cicéron*."

It appears that the "*Cicéron*," after leaving Marseilles about the 15th of April last, proceeded to the Island of Mallorca, where she took in a large supply of coal, and thence to the African coast.

Arrived off the coast, and at the moment when she was preparing to embark slaves, the "*Cicéron*" was chased by two British steamers, from which vessel she escaped out to sea without difficulty, owing to her great speed, which it is stated enables her to steam sixteen and a-half knots an hour.

The following day the "*Cicéron*" came a second time to the coast, when her intention to embark slaves was again frustrated by three British steamers, but although chased and fired into, she again got to sea with the greatest ease.

On the fourth day the "*Cicéron*" made a third attempt on the coast, which on account of the presence of the British steamers was equally unsuccessful as the previous ones; the captain therefore resolved to abandon the expedition, and steamed for St. Thomas, at which place he and the crew left the vessel and returned to Europe, arriving a few days since.

I am informed that only one individual on board the "*Cicéron*" belonged to this neighbourhood.

I have, &c.

(Signed) HORACE YOUNG.

SPAIN. (Consular)—Cadiz.

No. 236.

Consul Brackenbury to Earl Russell.—(Received February 16.)

(Extract.)

Cadiz, February 10, 1864.

I HAVE the honour to acquaint your Lordship that the screw-steamer "*Elvira*," No. 45,989 of Glasgow, 491 tons, John Mc Kelen master, arrived at Cadiz with a cargo of coals from Cardiff on the 7th of September, 1863, was sold on the 9th in this harbour to Don Servando del Rio, of this city, merchant, for 15,000*l.*, and sailed a few days afterwards under Spanish colours as the "*Cicéron*" with coals for Matamoros.

As the register of this vessel was granted at Glasgow on the 29th of July, 1863, and the builder, James Mc Lintock Henderson, was the owner, she was most probably built to order, and the purchaser here is merely the agent of the real owner, who, Mr. Crawford states, is at the Havana.

No. 237.

*Earl Russell to Consul Brackenbury, March 22, 1864.*To watch for "*Cicéron*," suspected slaver.

[See No. 77.]

No. 238.

Consul Dunlop to Earl Russell.—(Received August 4.)

My Lord,

Cadiz, July 30, 1864.

I HAVE the honour to inclose herewith to your Lordship copy of a despatch which I have addressed to Sir John Crampton, respecting the fitting out of slavers in the south of Spain for the African coasts.

I have, &c.

(Signed)

A. GRAHAM DUNLOP.

Inclosure in No. 238.

Consul Dunlop to Sir J. Crampton.

(Extract.)

Cadiz, July 29, 1864.

MANY persons here and at Port St. Mary's and Huelva, &c., are still surreptitiously but actively engaged in the Slave Trade, and I find that two residents here are the chief proprietors of slave-trading ships, and are generally partners in adventure with others in Spain who continue this traffic.

Cadiz therefore now appears the European centre of the trade, and I am credibly informed that of late it has greatly increased all over the south of Spain.

These slave-traders are, however, so experienced in deceiving the local authorities that it is difficult to arrest them or the vessels *in flagrante delicto*, even though the said Spanish authorities were very anxious to do this.

There is at present a three-masted schooner called the "*Fortuna*" outfitting here in the inner harbour, and every one in Cadiz knows that she is intended for the Slave Trade.

She is about 340 tons burthen, is American built, and was formerly barque-rigged. She is now clipper-rigged (as above) with large broad-cut sails, is painted black, and looks a fast sailer.

She is announced to sail to the Havana or St. Jago for sugar, &c., and were I to make any official application on the subject her papers would be found all in order, and letters would probably be produced from Cuba ordering her there, alluding to her cargo, &c.; and thus, even if the Governor here wished to help me he would be powerless. The proprietors of these vessels pretend to despatch them to Cuba, and take out their papers accordingly. The vessels are allowed to depart, take in water somewhere between this and the coast of Africa, fill up with other necessities for the slave voyage, and thus evade detection or detention here.

Steamers have of late been thus employed; they act in the same way, coaling up here and elsewhere in Spain, and sailing down to the African coast, after taking in engineers here or at Huelva, or perhaps going round to Malaga or Alicante, trusting for water to Teneriffe or some port on the way, and having at any rate large condensers on board.

No. 239.

Consul Dunlop to Earl Russell.—(*Received October 12.*)

(Extract.)

Cadiz, October 7, 1864.

I HAVE the honour to state to your Lordship that the British registered barque "*Indus*," belonging to Cardiff, 323 tons burthen, official No. 44,252, present master (said to be an American) F. B. Rhodas, former master J. M. Burmeister, an Englishman, arrived at this port on the 1st instant from Cette, in France, and cleared yesterday at the Custom-house, nominally for Bermuda, with ballast; the master announcing that she would probably sail to-morrow (the 8th) for her destination.

Last night about 9 o'clock she shipped an American mate and fourteen Spaniards and coloured men (in addition to her regular crew), at 50 dollars a month each; and at about half-past 10 weighed anchor with a south-east wind, and left this harbour secretly, bound for the coast of Africa, for the purpose of slave-trading.

The "*Indus*" is supposed to be American-built, is almost new, and a fast sailer, well-found in rigging and sails, but without any special peculiarity of build, or appearance, to mark her.

No. 240.

Earl Russell to Consul Dunlop.

Sir,

Foreign Office, October 25, 1864.

I TRANSMIT to you herewith, for your information, a copy of a despatch from Her Majesty's Acting Judge at Sierra Leone,* forwarding copies of the evidence and judgment in the case of the Spanish ship "*America*," condemned in the British and Spanish Mixed Commission Court at that place, on the 25th of August last, as being engaged in the Slave Trade.

I am, &c.
(Signed) RUSSELL.

* Class A, No. 20.

SPAIN. (*Consular*)—*Havana*.

No. 241.

Consul-General Crawford to Earl Russell.—(Received January 11, 1864.)

My Lord,

Havana, December 15, 1863.

I HAVE the honour of laying before your Lordship an Order cut from the "Gaceta" of Havana of the 5th instant, according to which a number of African negroes which were seized a long while ago, viz., on the 10th June, 1860, during the government of General Serrano, and declared emancipados, are, by a sentence of the Royal Audiencia, alluded to by the present Captain-General, called in from the parties to whom, as emancipados, they had been consigned since 6th July, 1860, in order to their being reduced to slavery.

So very extraordinary a proceeding has not failed to attract my attention, and accordingly I deemed it my duty to address General Dulce on the subject, and ask the particulars for the satisfaction of your Lordship.

I have now the honour of transmitting a copy of the correspondence I have had with his Excellency, by which your Lordship will perceive that the Captain-General does not consider himself authorized to give me any explanations; he has denied the copy of the sentence of the Royal Audiencia referred to in his Order, which gives effect thereto, and has referred the matter to the Government at Madrid.

These Africans were apprehended whilst being landed at Las Pozas, and whether they have been ordered to be returned to be placed in slavery on the pretext of the 9th Article of the Penal Law, or on the false pretext of their having been furnished with passes as Ladinos coming from elsewhere in the island, matters little, because there is no doubt about their having been Bozals who were brought from Africa at the time of their being captured.

I need hardly remind your Lordship that a very little money suffices here in Cuba to obtain evidence such as must have been adduced, in this and in too many similar cases in the Tribunals, to defeat the ends of justice; and to such an extent does this abuse prevail, that it would tend towards the upright dispensation of justice were all such matters determined, gubernatively, by the supreme authority of the island, rather than that the Royal Audiencia should be exposed to decide upon such proofs as must have governed their decision in the case of the apprehended negroes at Las Pozas.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 241.

Extract from the "Gaceta de la Havana" of December 5, 1863.

(Translation.)

IN order to give full effect to the sentence of the Royal Audiencia, which declares to be slaves "the negroes belonging to the capture known as that of Las Pozas," his Excellency the Civil Superior Governor has been pleased to order that the masters to whom the said negroes were consigned, who are named in the list subjoined to this Order, be called upon, that during the rest of the present month they return said negroes, as well as any

CLASS B.

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children the females may have had, at the Deposit of Emancipados, or abide the consequences of their not so doing.

Havana, December 4, 1863.

(Signed) JOSE VALLS Y PUIG, *Secretary*.

[Here follow the names of the parties, eighty in number, to whom said captured negroes had been delivered as emancipados.]

Inclosure 2 in No. 241.

Consul-General Crawford to the Captain-General of Cuba.

Havana, December 8, 1863.

I HAVE seen in the Gazette of this city your Excellency's Decree of date the 4th instant, which has reference to the sentence of the Royal Audiencia, declaring that the emancipados of the expedition known as that of Las Pozas are to be returned into a state of slavery.

The capture of the expedition at Las Pozas occurred so long ago, and the Royal Audiencia having (after so long a period) reduced these captured Africans to a state of slavery, Her Majesty's Government will require to know the reason of this judicial alteration of the superior disposition of this Government, which declared said captured negroes to be emancipados.

I have therefore to request that your Excellency will be pleased to inform me upon what principle the Royal Audiencia has founded the sentence which has been promulgated in this case, and if the decision of that august Tribunal has reference to the Penal Law of 1845.

I beg the favour of your Excellency to order me to be furnished with a copy of the sentence.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 3 in No. 241.

The Captain-General of Cuba to Consul-General Crawford.

(Translation.)

Havana, December 14, 1863.

I HAVE received your Honour's official letter, in which you ask for certain information in consequence of the convocation published in the Gazette of the 5th, which was given rise to by the sentence of this Royal Audiencia, which declared ill-founded the capture of negroes known as those of the expedition of Las Pozas, by the administrative authority.

In answer, I have to say to your Honour that I do not consider myself authorised to grant you a copy of the definitive sentences pronounced by our Courts of Justice; and therefore you may please to claim that which you have asked of me from Her Majesty's Government, to whom I report the circumstances by the mail of to-morrow, with all its corresponding documents.

God preserve, &c.

(Signed) DOMINGO DULCE.

No. 242.

Consul-General Crawford to Earl Russell.—(Received March 1.)

My Lord,

Havana, January 23, 1864.

I HAVE the honour of laying before your Lordship a copy of correspondence which I have had with the Captain-General, and I have the satisfaction of reporting to your Lordship the capture, by a boat's crew of Her Catholic Majesty's lost frigate "Petronilla," of a brigantine, seemingly of about 200 tons, without papers or colours, but with a master and crew consisting of ten persons, who, according to the Captain-General's answer to my

despatch, are all Portuguese, the slaver having on board 354 Bozals—Congos, as I understand, in pretty good condition.

It is said here—but that point, which I put to him in my letter, his Excellency has passed over without notice—that this brigantine, previous to her capture, had communication with the shore of this island, near this place, and that a certain M. Garcia bought the cargo, embarked on board himself, and was proceeding in her to Mariel, when, near that port, which is where the “*Petronilla*” was lost, a boat belonging to that ship the officer and crew of which were employed in saving materials from and in watching the wreck, put out to sea and captured the slaver, as I have been informed, with said Garcia on board.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 242.

Consul-General Crawford to the Captain-General of Cuba.

Sir,

Havana, December 26, 1863.

I HAVE seen in this harbour a brigantine in custody of the Royal Navy, with negroes on board. I beg the favour of your Excellency to inform me whether said vessel is in reality a slaver that has been captured, and the particulars, so that I may be enabled circumstantially to report the matter to my Government.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 242.

Consul-General Crawford to the Captain-General of Cuba.

Sir,

Havana, January 16, 1864.

ON the 26th ultimo I did myself the honour of addressing your Excellency, requesting to be informed respecting a vessel which I had seen in this harbour with Bozal negroes on board, and which appeared to me to be a captured slaver.

I have not been favoured with any reply to that letter, and as I consider it of great importance to report to Her Majesty's Government in an exact manner what has occurred with regard to the capture of the slave-vessel alluded to, I have to request that your Excellency will enable me to do so, and will be pleased to inform me of the name of said slaver, and that of her captain, the flag under which she sailed, the place of her capture, and by whom captured, as well as the place from whence she had brought her cargo of slaves, and the number found on board.

It will also be important that I should be enabled to state in my Report to Her Majesty's Government the number of persons found on board, and their nationality, as it has been rumoured here that, previous to her capture, the said slaver had had communications with the shores of Cuba, near this port, and that a certain person (named Garcia) had embarked on board her, and was found on board at the time of the capture.

(Signed) JOS. T. CRAWFORD.

Inclosure 3 in No. 242.

The Captain-General of Cuba to Consul-General Crawford.

(Translation.)

Havana, January 22, 1864.

I HAVE received your despatch of the 26th December last, in which you ask me if the brigantine which entered this port in the custody of the Marine, had been captured as a slaver, as you had heard, so as that, upon receiving my answer, you should be enabled to give a circumstantial account to Her Britannic Majesty's Government.

Duly satisfying your Honour's wishes, I have the pleasure to acquaint you that the vessel referred to in your despatch is of the description you have indicated, and was captured at the Playa de la Dominica, in the jurisdiction of Guanajay, with 354 Bozals which she had on board, as well as the master and ten men who composed the crew, all

Portuguese; and no other particulars are as yet known to me that I can communicate to you.

It only remains for me to inform your Honour that the process is being followed out before one of the Magistrates of the Royal Audiencia, with a view, by that means, of exacting the responsibility of the infractors of the law.

God preserve, &c.

(Signed)

DOMINGO DULCE.

No. 243.

Mr. Murray to Consul-General Crawford.

Sir,

Foreign Office, March 1, 1864.

WITH reference to your despatch of the 23rd January last, reporting the capture off the coast of Cuba by a boat's crew of Her Catholic Majesty's ship "Petronilla" of a brigantine with 354 slaves on board, I am directed by Earl Russell to desire that you will endeavour to ascertain the name of the vessel in question, and from whence she shipped her slaves.

I am, &c.

(Signed)

JAMES MURRAY.

No. 244.

Consul-General Crawford to Earl Russell.—(Received March 8.)

My Lord,

Havana, February 12, 1864.

I HAVE much satisfaction in acquainting your Lordship of the capture on the 8th instant, near Remedios in the Old Bahama Channel, by Her Catholic Majesty's steamer "Neptuno," Churruca, Commander, of a brigantine of about 300 tons burthen, having on board 682 slaves (Congos), of whom about 400 were males, and the rest females, all in good condition, the vessel being only thirty-eight days from the coast at the time of capture.

There were no papers found on board, but the vessel showed French colours, and had "Pondichery of Marseilles" on her stern.

Commander Churruca informs me that the master and crew (nineteen in all) are Portuguese, but the brigantine, he thinks, is Spanish built, and in a very good state. The master and crew are prisoners in one of the forts abiding their trial.

Notwithstanding the statement that the crew of this last captured slaver and those of the brigantine which was taken recently near Mariel, being Portuguese, I have very strong suspicions that there are more Spaniards than of any other nation in their number, and on board the last captured there was a passenger who in all probability was the real captain.

I have, &c.

(Signed)

JOS. T. CRAWFORD.

No. 245.

Consul-General Crawford to Earl Russell.—(Received March 14.)

(Extract.)

Havana, February 16, 1864.

IN my previous number dated the 12th instant, I had the honour of reporting to your Lordship the capture of a brigantine slaver by Her Catholic Majesty's steam-vessel "Neptuno" with 682 Congos.

I have now the honour of inclosing herewith the copy of a communication which, by direction of the Captain-General, I have received from the Government Secretary upon this subject, wherein the number of slaves captured is put at 659, which no doubt was the total reported to his Excellency, and all of them that reached the dépôt, but my previous despatch expresses the number found on board the slaver as given to me from an unquestionable source. The point in the Secretary's letter to which I am wishful to direct your Lordship's notice is that where he adverts to this capture having been effected in neutral waters, and I took advantage, as your Lordship will not fail to observe, in my answer to remark, with regard to that circumstance, knowing as I did that the slaver in

order to escape had run into the waters of the Bahamas, that I was not aware of any limits for the cruizers of Spain and of England in the suppression of the abominable Traffic in Slaves but those expressed in the Treaty of 1835, unless it were within the ports or within gunshot of the forts or territory respectively of the High Contracting Parties.

Inclosure 1 in No. 245.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.)

Havana, February 14, 1864.

HIS Excellency the Governor Captain-General directs me to acquaint your Honour of the capture of a slaver, with 659 Bozals, by Her Catholic Majesty's steamer "Neptuno," as a consequence of the decided measures adopted by his Excellency for the suppression of the Traffic; and this capture in neutral waters was rendered unavoidable by the slaver having run into them to avoid being taken.

God preserve, &c.

(Signed)

JOSE VALLS Y PUIG.

Inclosure 2 in No. 245.

Consul-General Crawford to the Captain-General of Cuba.

Sir,

Havana, February 14, 1864.

I HAVE the honour of acknowledging the receipt of the Government Secretary's communication of this date, acquainting me of the capture made by Her Catholic Majesty's steamer "Neptuno" of a slaver with 659 Bozals on board.

In reporting this circumstance to my Government, I shall have a special pleasure in stating that the repression of the abominable Traffic in Slaves from the Coast of Africa, now and for some time past, is wholly attributable to the decided measures adopted and carried out by your Excellency.

With regard to the observation made by the Secretary in his official letter which I have now the honour of answering, to the effect that this capture was effected in neutral waters (in the waters of the British possessions of the Bahamas), I consider that there are no limits for the cruizers of Spain and England in the persecution of vessels that are engaged in the Slave Trade but those prescribed in the Treaty of 1835 between the two Powers, Article IV, paragraph 4, "except the ports and harbours or within gun-shot of fortified places of the territory of either of the High Contracting Parties."

God preserve, &c.

(Signed)

JOS. T. CRAWFORD.

No. 246.

Consul-General Crawford to Earl Russell.—(Received March 14.)

My Lord,

Havana, February 19, 1864.

I HAVE the satisfaction of reporting to your Lordship that Her Catholic Majesty's steamer "General Lezo" captured, a few days ago, near Cienfuegos, a slaver with 365 Bozals on board, she having previously succeeded in landing a part of her cargo, variously stated to have been 180 and 280 in number.

I have, &c.

(Signed)

JOS. T. CRAWFORD.

Consul-General Crawford to Earl Russell.—(Received March 14.)

My Lord,

Havana, February 22, 1864.

IN my previous despatch of the 19th instant I reported the capture of a slaver, with 365 Bozals, by Her Catholic Majesty's steamer "General Lezo," which, it appears, was effected at the Boca Caballones.

I have now the honour of inclosing herewith to your Lordship a copy of his Excellency's notification of this fact, communicated to me by the Government Secretary, with my acknowledgment congratulating his Excellency upon the success of the stringent orders and measures he has issued and adopted for putting down the Slave Trade.

General Dulce appears to be quite sincere, and determined to compel the observance of the Treaty; and if the Penal Law of Spain did not operate to protect and encourage the slave-traders, but was so framed as to punish the infractors, two or three years more of his Excellency's rule here would suffice to put an end to the abominable Traffic, especially if he were authorised to act gubernatively in expelling those notoriously engaged in it, and that the African Slave Trade should be declared piracy.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 247.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.)

Havana, February 21, 1864.

HIS Excellency the Captain-General has desired me to apprise your Honour, as I now do, of another capture of 365 Bozals, which took place at the mouth of the Caballones, on the south side of this island, by the steamer of Her Catholic Majesty "Lezo," on board a polacre-schooner, and they will arrive in this city to-morrow.

In this your Honour will see a proof of the desire which animates his Excellency for the suppression of the Traffic, in observance of the existing Treaties, and the efforts of our cruisers to carry out his strict orders to that effect.

God preserve, &c.

(Signed) JOSE VALLS Y PUIG.

Inclosure 2 in No. 247.

Consul-General Crawford to the Captain-General of Cuba.

I HAVE the honour of acknowledging to your Excellency the receipt of M. Valls y Puig's letter of this date, acquainting me of another capture which has been made, consisting of 365 Bozals, on board a polacre-schooner, at Boca de Caballones, by Her Catholic Majesty's steam-vessel "Lezo."

I most sincerely congratulate your Excellency on the success which attends the efficacious measures dictated by your Excellency, and corresponding orders which are being so very admirably executed by the officers and Spanish cruisers, which it will be my pleasant duty to point out to Her Majesty's Government, as I have already had occasion to do several times.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

No. 248.

Consul-General Crawford to Earl Russell.—(Received March 30.)

(Extract.)

Havana, February 27, 1864.

I WOULD most respectfully beg leave to refer your Lordship to my despatch dated the 15th December last, in which I laid before your Lordship copy of a correspondence which I had had with the Captain-General respecting a large number of negroes who were captured at Las Pozas in June 1860, and who were declared to be

emancipados by the then Captain-General Serrano, but who were ordered to be returned by those to whom they had been, at that time, consigned as such, the Royal Audiencia having decreed that they were slaves, and General Dulce having, in compliance with that decree, ordered the unfortunate creatures to be reduced to slavery, after the lapse of upwards of three years from the period of their capture.

Of so extraordinary and I may say unheard-of proceeding, I deemed it my duty to apply for explanation and a copy of the sentence, which was refused me, and the matter was reported to his Government by the Captain-General, all of which I did myself the honour of reporting to your Lordship.

Since that time I have been constantly hearing of the manner in which the sentence of the Royal Audiencia was obtained, and lately I discovered that it might be possible to obtain the particulars from an authentic source. This I have, I am happy to say, accomplished, and I herewith have the honour of transmitting to your Lordship the history of the whole affair, developing a series of acts of demoralization and corruption of these authorities unheard of, all the result of villainous bribery, by which means it was made to appear that 521 negroes, captured on board the lighters which brought them from the steamer in which they had been conveyed from the coast of Africa, and who had never set foot on the Island of Cuba, were part of a dotation that were being taken from one estate to work at another belonging to the same owners, which, by means of false testimony, obtained by money and the connivance of the justices and other Spanish officials, to bring the case within the 9th Article of the Penal Law, operated the iniquitous sentence that is a disgrace even to the corrupt source from which it emanated.

The succinct nature of the information which I am thus enabled to lay before your Lordship would make it easy to investigate the whole of this complicated affair by trustworthy officers, but I need hardly state to your Lordship that none such as those to whom such an inquiry should be confided are to be found here.

The disclosures made in the information I now have the honour of transmitting to your Lordship are of the greatest importance, because they prove beyond the possibility of doubt, that all our efforts, honestly and patiently performed, at immense cost of life and the treasure of the country, are frustrated by the horde of slave-traders, and the corruption produced by their unsparing bribery of almost every officer under the Spanish Government, whose duty it is (if they could be made to do it) to put an end to the Slave Trade, but who are in the pay of the slave-traders, and lend themselves to every fraud which they invent to contravene the provisions of the existing Treaty.

It is sad to think that some 500 of our fellow-creatures of the Las Pozas expedition are groaning in slavery, to which they have been consigned in the villainous manner we now know of; and surely the most energetic efforts should be made to rescue them from that condition, and obtain the punishment and degradation of those who have plotted and connived to place these unfortunate negroes in their miserable condition.

Inclosure in No. 248.

A true Account of the Circumstances, showing how, when, and in what manner 462 or, it may be, 472 Bozal Negroes arrived in the Island of Cuba, in June 1860, when they were declared Emancipados, and as such were distributed and consigned to various patrons, and in 1863 declared to be Slaves by the Royal Audiencia of Havana, they having been claimed by Don Pedro Gutierrez y Somarriba and Don Julian Casal as their property.

(Translation.)

Instruction.

INVESTIGATE by an examination of the telegraphic stations the message or messages transmitted from the 2nd to the 8th June, 1860, from Sagua la Grande, Cardenas, or Matanzas, which were received by his Excellency the Captain-General of Cuba, at that time Don Francisco Serrano, relative to the apprehension of those Bozal negroes.

(This is of the utmost consequence, and these messages ought to be entered in the books of these telegraphs.)

Obtain proofs of those messages, the having them will much conduce to discovery of the truth.

Preliminary History.

At the end of 1859 a slave-trader, resident in Europe, wrote to a friend of his, an inhabitant of Havana, proposing that if he would send him 50,000 dollars he would purchase a steamer, in which he would take the remaining interest, that she should be of

extraordinary speed, to be ordered to the coast of Africa to bring negroes on freight; that the vessel would bring 1,200, and that it would be a matter of sure profit.

The individual in Havana amongst his friends got together the sum required, and remitted it to the outfitter, who was in Europe, and the parties principals in the Havana were Don Pedro Gutierrez y Somarriba, and Don Julian del Casal, known in Havana as "Gutierrez" and "Casal."

Narrative.

In the beginning of 1860 a steamer sailed from a port in Europe for the coast of Africa, bound to the River Zayra or River Congo.

In the meantime Gutierrez and Casal undertook to receive the cargo which that steamer was to bring and deposit them at their estate La Panchita for sale afterwards, which estate is situate in the jurisdiction of Sagua la Grande, one league distant from the sea-side and landing or loading wharf called Las Pozas, in the captainship known by the name of Rancho Veloz, and for this service and accommodation Gutierrez and Casal exacted from the other parties interested 6 per cent. commission.

In due time, and the steamer being expected to arrive, two partners in the expedition were placed with small vessels at the quay called Cayo Verde, situated on the north coast of the island, bearing north and south of the stores of Las Pozas, for the purpose of waiting for the steamer and by means of said smaller vessels to convey the negroes to the wharf at Las Pozas and from thence take them to La Panchita estate.

On the 30th of May, 1860, in the afternoon, there appeared at the wharf of Las Pozas a boat belonging to a vessel of war of Her Catholic Majesty, manned with twelve persons, of whom four were marines, seven sailors, and one who acted commandant, all belonging to the schooner of war "Juanita," stationed at that time at Sagua la Grande, and her commander then was Don Luis Regalado, the boat being in charge of the boatswain, who then belonged to the said schooner.

Note.—These particulars respecting the schooner of war may be compared with the log of said vessel. The commander who was in her at that time is now on board Her Catholic Majesty's frigate "Lealtad" as Lieutenant de Navio Don Luis Regalado.

On the 1st of June, 1860, the slaver-steamer arrived at Cayo Verde, bringing 920 negroes, Congos of all classes, sexes, and ages, all of whom were transshipped into several smaller vessels, three of whom safely landed with more than 300 negroes, whom the other partners of the expedition sold to the different estates.

The 500 and odd Bozal negroes that remained of the expedition came from on board the slaver-steamer which brought them from the coast of Africa, transshipped in a launch or schooner called the "Juana" or "Juanita," the property of Don Juan Vives, in another called the "Tula," and one besides those two, being the property of certain fishermen, called "Los Griegos," and Vives as well as the Griegos are belonging to those places.

These three were the only ones that came to the wharf at Las Posas, there to land the 500 and odd Bozal negroes they conveyed, to be afterwards taken to La Panchita estate of Gutierrez and Casal, as had been arranged beforehand.

But it happened that said launches arrived at the wharf on the 1st June, about 11 at night, being ignorant that there lay the boat of Her Catholic Majesty, as has been already mentioned; and when they were hauling to the wharf with said vessels, owing to the noise they made and the shouting of the negroes they were conveying, they awoke the sailors of the man-of-war's boat, and then it was that they captured the three small crafts and the 500 and odd Bozal negroes they had on board together with their crews, amongst whom were one or two negroes (slaves), the property of the owners of the small vessels employed in discharging the steamer-slaver.

These 500 and odd Bozal negroes captured on board the three lighters were when so captured found to be entirely naked, and without dress or covering of any kind.

The three lighters with 300 and odd Bozal negroes were saved because they did not go to the wharf at Las Pozas, having had timely information of the man-of-war's boat being there, so that they landed at other places.

Note.—If the negroes captured and afterwards claimed by Gutierrez and Casal were belonging to the La Panchita estate, which they were sending to work on their estate Guamutica, how was it that not one of them knew a word of Spanish and that they were captured entirely naked?

In the same state of nakedness said negroes were carried and accompanied to the Port of Sagua la Grande, with the three lighters and their crews, having at their mast-heads their flags or signals of prizes.

Note.—Previous to the boat which had made the capture leaving the anchorage at Las Pozas the crew sold 28 of the negroes at 12 onzas (204 dollars) each, and others at less price. Some were in drunkenness, and others died for want of care on the part of the captors, for which reason, at the arsenal in the Havana, where afterwards they were brought from Sagua la Grande, there were only 462 or 472; the rest of 521 had disappeared in the manner described.

The captured negroes were first of all landed in Sagua la Grande before they came to the Havana. This was on the 3rd, 4th, 5th, or 6th of June, 1860, and they were taken naked to Sagua la Grande. All the inhabitants of Sagua know in what state these captured Bozals arrived there. In Sagua the marine and land authorities took the declarations of the crew of the man-of-war's boat, the Governor at the time of that jurisdiction being M. de Argenti.

Note.—There being about 50 of the captured Bozals wanting, gave rise at Sagua to the formation of a process which made much noise, and which should appear in the claims made by Gutierrez and Casal before the *Roya Audiencia* in Havana. The declarations ought to be found in the cause if they have not been taken out. For that purpose Gutierrez and Casal laboured hard.

The 462 or 472 Bozal negroes—all Congos—arrived at Havana about the 6th to the 15th June, 1860, brought by the schooner of war "Juanita," and another vessel of war of Her Catholic Majesty, and were all taken from the arsenal to the depôt of the emancipados, for such they really were, and from thence they were distributed and consigned by the Captain-General Serrano to various corporations and private persons.

Note.—The steamer which brought the 920 negroes from Africa was two days anchored at Cayo Verde, and on the third day, at daylight, she was seen by one of Her Catholic Majesty's steamers (supposed to have been the "Lezo"), which chased her, but the steamer having more speed, escaped. This circumstance could easily be tested by reference to the logs of Her Majesty's ships, especially that of the "Lezo."

From the moment the said negroes arrived at Havana, Gutierrez and Casal represented to his Excellency Don Francisco Serrano, Captain-General of the Island of Cuba at that time, stating that these negroes were their property; that they were being taken from their estate La Panchita, embarked on board the vessels mentioned, to work on their other estate Guamuticas, and that being theirs, his Excellency would order them to be delivered.

Note.—The Captain-General Serrano, knowing their villany, ordered Gutierrez and Casal to be called, and informed them that if they did not desist from their pretension he would send them to Spain under arrest. They after that presented a memorial, desisting from their pretension, saying that they had been mistaken. This memorial remained in the Secretary's office, and is the same that they (Gutierrez and Casal) got back after General Serrano's departure for Spain. They obtained it by bribing one of the officers of the Secretary's office by means of gold.

It was from the 10th to the 15th of June, 1860, that they presented the memorial referred to to General Serrano, in which they desisted from claiming the negroes.

Notwithstanding the memorial so presented to M. Serrano, and which Gutierrez and Casal concealed from the General, they most daringly presented to the Royal Audiencia of Havana a claim for said negroes as their property; that they were on their estate La Panchita, and that they were taking them, embarked, to work on their other estate called Guamuticas, which estate is situated in the same jurisdiction, but in a different captaincy.

For this purpose, in connivance by means of bribery, they gained over the authorities of Sagua la Grande, the Captain of Rancho Veloz, who a few days previously had taken the place of Don Ramon de la Rosa, who was in that captaincy when the man-of-war's boat captured the negroes; they obtained passes for these negroes, making it appear by them to the Royal Audiencia that they had taken the negroes from the Panchita estate to carry them to work on their other plantation called Guamuticas.

Note.—The Captain of Rancho Veloz, after being two months in the Castle of the Punta, was let out under bail; so also were the crews of the three lighters, as soon as they had lent themselves to falsehoods in the proceedings for that purpose.

The process, with that which had been instituted at Sagua and Rancho Veloz,
CLASS B

together with the corresponding declarations, and all that had been done, went through its course, and was ready for sentence.

It was the duty of Don Vicente Oses, Fiscal of the Royal Audiencia in 1861 and 1862, a person of pure and sound character, and who had not been gained over by Gutierrez and Casal, to examine the case, and according to what the said Fiscal found in the proceedings at that time his sentence was, that the negroes were Bozals, consequently they were made emancipados. He fined the claimants, imprisoned the crews, and ordered the Captain of Rancho Veloz, Don Ramon de la Rosa, to be fined 1,000 dollars, and to be ineligible for public service.

Note.—This sentence ought to appear and exist in the proceedings, end of 1861 or early in 1862.

As Gutierrez and Casal could not gain over nor buy the Fiscal, Don Vicente Oses, they allowed the proceedings to lay dormant for some time in the Royal Audiencia, but afterwards they instituted other proceedings before the authorities of Sagua la Grande to show that what had previously been.

Note.—The new informations which they raised at Sagua la Grande were,—that they bought over all those who had before told the truth, and made them say that the first declarations they had sworn to were made under the influence of money which had been offered them by various persons for them to say what they had said, but the truth was, that the negroes were from the Panchita estate, and that they were being taken to the other, Guamuticas.

With these false declarations, forged by Gutierrez and Casal and by their clique in the Royal Audiencia (which was also already theirs), and the process being arranged in quite a different manner, they were about to elevate it to the Royal Court-room to have it decided in their favour, but they met with a great difficulty, which was the following:—

As the original Fiscal, Don Vicente Oses, had pronounced sentence quite at variance with the evidence they had since obtained and made appear on the process, they applied to Oses, begging him not to be present at the “Revision,” on the day it came on for hearing.

This M. Oses refused to assent to, and told them that he wished to be present with the other Judges and the Regent, and that the sentences which he pronounced on all the causes confided to him by the Royal Audiencia were given by him in no other way than according to right, law, and justice, according to the evidence.

Gutierrez and Casal and their clique in the Royal Audiencia thus found themselves in a difficulty because of Don Vicente Oses, and at that time they were unable to attain their object of having emancipated negroes declared to be slaves.

Owing to this the proceedings were allowed to remain dormant, and they did nothing in them for a long while.

Being much perplexed at seeing they could not obtain their intention because of Oses, they availed even of interest made at the Court in Madrid and of the influence of the Royal Audiencia to have Oses sent away from Havana (Oses not knowing anything about what they were doing against him), and they succeeded in having him appointed Oidor in San Domingo, so that gentleman has been away from this island since the end of 1862.

As soon as Gutierrez and Casal and their clique in the Royal Audiencia had succeeded in having Oses removed from Havana they set about carrying on the proceedings to attain their object, but they still met with another difficulty; viz., their fears lest General Serrano should remember what Gutierrez and Casal had presented to him, desisting from their pretension, saying that the negroes were not theirs, and that they had been mistaken about the matter in their memorial of June 1860.

So they again left dormant their process until at a later date General Serrano should retire to the Peninsula, since they already knew that his resignation of the command of the island had been accepted at Madrid. And thus everything remained in suspense till after the arrival of General Dulce, but they were all the time at work forging, and previous to the departure of the late Regent in 1863 they succeeded in that the Royal Audiencia declared the 462 or 472 negroes (referred to in this declaration) to be slaves, which sentence was given in September or in October in the year last past of 1863.

As soon as Gutierrez and Casal had succeeded in obtaining this sentence in the Royal Audiencia they set about getting orders from the Captain-General Dulce for the delivery of the negroes, but in this they found a difficulty in the Secretary's Office, one of the persons therein employed having in his possession the memorial which in June 1860 they presented to General Serrano, desisting from their pretension that the negroes were theirs.

The person in whose possession the said memorial was, knowing that if he presented it he could destroy all that Gutierrez and Casal had effected, asked a sum of money (and so

did others), which was given them, and the memorial was got back. So at last the order was obtained from the Secretary's Office on the 28th November, 1863, to the Administrator of the Depôt of the Emancipados, that all the negroes brought there and received of the expedition denominated Las Pozas should be delivered to Don Pedro Gutierrez and to Don Julian del Casal, according as had been decreed by the Royal Audiencia, the order expressing further that the owners were to be allowed to take away the negroes from the depot twice a week at the least.

See the "Gazette" of the 5th to 10th December, 1863, with reference to said negroes.

The order to deliver them up addressed to their patrons as emancipados and reducing them to slavery.

By virtue of that order Gutierrez and Casal are receiving with all publicity these negroes. They have had them deposited at Regla, on the road leading to Guanabacoa. The most instructed of them say that they are not and never have been slaves. Those who say this are separated from the others. They are severely punished and set to hard and disagreeable tasks as chastisement. The administrador of that depôt is the same Don Ramon de la Rosa who was Captain of Rancho Veloz when said negroes were captured afloat.

Besides this, at the public depôt where these negroes have been returned by their patrons, who had them as emancipados, now the victims of an atrocious injustice, the result of corruption which has reduced them to slavery, they assert in loud voice that they are free and not slaves. They wanted to get out in the street to present themselves to the Captain-General or to the British Consul, but were stopped by the guard and cruelly punished to impose their silence, those belonging to the depôt saying that the punishments had been inflicted because they would not use the sink for their necessities, and for other pretended infractions of discipline.

*Reflections given rise to by the perusal of the History of the Negroes of the Expedition
Las Pozas.*

What defence was allowed to these negroes to maintain the fact of their being free; and was any counsel assigned to them for that purpose?

When, how, and where did the Royal Audiencia take the declarations of those negroes as to whether they had any or as to who were their masters or owners?

What titles, bills of sale, or other documents of property have been presented by Gutierrez and Casal to the Royal Audiencia in proof that the 462 or 472 negroes detained at Las Pozas were their property; and if Gutierrez and Casal have presented (which they did not do) their titles of property and dominion, has the Royal Audiencia of Havana taken the declaration of the negroes as to whether they were the same which were claimed by Gutierrez and Casal, said negroes being others, and made free by their having been captured in the way described at Las Pozas?

Is not the want which there is in the proceedings before the Royal Audiencia of all proof of property in the negroes captured at Las Pozas conclusive against the claim made by Gutierrez and Casal, and ought not the Royal Audiencia to have so decided; and in defect of all such documentary or other proofs that said negroes were the property of Gutierrez and Casal, ought not the negroes, previous to their being ordered to be given up to Gutierrez and Casal, to have been interrogated as to whether they had ever been on the Ingenio Panchita, and whether they were the slaves from that estate, how long they had been there before they were captured at Las Pozas, and how they came to be naked when captured?

Were the negroes asked as to whether, when captured, they were clothed or naked; and if the latter, where they received their clothing, whether at Sagua la Grande or Havana?

Were the 462 or 470 negroes asked whether at the time of their capture they had been baptized, and if so, when and where, and who were their padrinos or sponsors?

It will be necessary (if ever these unfortunate negroes are got together to be interrogated) to bear in mind that they are all Congos, and to ask who were the patrons to whom they were assigned as emancipados, to check their answers with the list published in the Gazette, of 5th December, 1863, and that the patrons also attend to identify them, because, most assuredly, Gutierrez and Casal, if called upon, would present negroes from their estates La Panchita and Guamutica, and not any of those captured at Las Pozas.

The patrons and others to whom these negroes were consigned as emancipados might be called upon to declare whether, when they received those allotted to them, they dressed in the usual manner of those working in the field, or as if they had been at work in the

field, or had on new frocks; whether they were Bozals or Ladinos, and whether they ever heard any of them say that they were from the Panchita and were slaves of Don Pedro Gutierrez and Don Julian del Casal.

How many slaves were there on the Ingenio La Panchita, from December 1859 till the end of May 1860?

The administrators of the *depôt* of emancipados (without being told for what purpose) should be asked, whether the negroes of Las Pozas when received were Ladinos or Bozals; whether the names under which they were distributed to the various patrons who received them were those given by themselves, or were names given them at the *depôt*, or whether names had already been given them at Sagua.

Note.—In general, when an expedition is captured the Government gives names to the Bozals at the principal place of the district where they are taken, but if they are brought to this capital that operation takes place at the *depôt* of emancipados, and their names are given them by the Administrators, Señores Arango and Mora, from the almanac.

Gutierrez and Casal having received a large portion of the negroes of the Las Pozas expedition, have sold them off, but in the bills of sale which they give to the purchasers they do not refer to any title by which they held such negroes, but say that the negro is sold as their property according to sentence of the Royal Audiencia.

No. 249.

Consul-General Crawford to Earl Russell.—(Received March 30.)

(Extract.)

Havana, February 27, 1864.

IN my previous despatch of this date I did myself the honour of transmitting to your Lordship a full history of the negroes of the Las Pozas expedition.

The parties mentioned in the narrative of the expedition, and who were entrusted with its management, have outwitted the others who were partners with them in the adventure; and the claim having been made in their name alone, they, upon the negroes being ordered to be delivered up to them as the parties who were successful in the suit before the Royal Audiencia, have appropriated to themselves the whole production of the sales of the slaves, and refuse absolutely to recognize or account to any of the other parties for their shares.

Your Lordship will observe that the officer who captured these negroes in 1860 is implicated; that the Regent and Magistrates of the Royal Audiencia are implicated, the officers of the Government Secretaries' Office, and many others, besides Gutierrez and Casal. Add to which, all the slave-traders here and in Spain and elsewhere would have to make a common cause in the endeavour to prevent the disgraceful disclosures which a faithful investigation of this detestable combination could not fail to produce, and which would lead to the degradation and deserved punishment of so many officers and individuals.

No. 250.

Consul-General Crawford to Earl Russell.—(Received March 30.)

(Extract.)

Havana, March 4, 1864.

THE slaver steamer "*Cicéron*" which I have some time ago reported to your Lordship, after effecting the landing of her cargo (afterwards captured at Colon) in this Island, proceeded to Isla de Mugerés, on the Coast of Yucatan, where she took in the coals sent there to await her arrival. From Isla de Mugerés she went to Matamoros, thence to Barcelona with a cargo of cotton, and on the 3rd of January she sailed again from that port for the Coast of Africa under the command, it is said, of a Portuguese named Mesquita, and the notorious Don Eugenio Viñas.

The "*Cicéron*" is intended to bring 1,300 slaves to the coast near to Sagua on the north side of the Island, to be introduced again in the jurisdiction of Colon, from whence the Lieutenant-Governor Don José Arguelles, who seized the former expedition, is suspended by the Royal Audiencia in the proceedings now going on for restitution of the 1,105 Bozals I did myself the honour of reporting to your Lordship were captured near Colon in November last.

I have information also that another expedition of about 700 is also on the passage from the Coast of Africa intended to be landed near Cienfuegos, and both belong to Don

Julian Zulueta, and others his associates, who are deeper and seemingly more boldly engaged in the traffic than ever, no doubt encouraged by the protection they derive from the construction and wording of the Penal Law; another of the consequences of which we are, I understand, about to experience in the restitution to the slave-traders of the whole 1,105 of the Colon capture, which was also Zulueta and Co.'s.

No. 251.

Consul-General Crawford to Earl Russell.—(Received March 30.)

(Extract.)

Havana, March 5, 1864.

THE suppression of the Slave Trade, which I had hoped would be accomplished under the Captain-Generalship of General Dulce, is, I lament to say, doomed to be postponed if it is ever to be achieved. His Excellency's energies have become entirely paralysed, and the Royal Audiencia rules supreme, to protect, by the Penal Law, the most outrageous infractions of the existing Treaty.

The suspension of the Lieutenant-Governor of Colon, which I noticed in my despatch of yesterday's date, it appears has been followed by the order for the imprisonment of all the captains of the district, and M. Arguelles is so apprehensive of being also included in the same order of the Royal Audiencia that he is said to be endeavouring to provide for his safety.

Don Ramon Navarro, one of the Oidores of the Segunda Sala, who is charged with preparing the process of claim for these 1,105 captured Bozals, having succeeded in arranging that the Lieutenant-Governor Urgelles should not be permitted to be there, is gone to Colon to prepare the evidence for the hearing in the Royal Audiencia, and (almost publicly) he has been accompanied by Zulueta, Bergara, and others, the latter just released from the castle at the Punta (on bail), where they were confined, having been captured with the Bozals they went to have landed.

Rumour indicates, and I have some reason to think truly, that previous to the recent change of Ministry in Spain, some of the most prominent of the slave-traders here had it understood with one of the Ministers, who previously had everything to do with the rule of this Island, that the continuance of the African Slave Trade being essential to the well-being of Cuba, it should be carried on, but only by means of steamers, and by respectable (*alias* wealthy) people who could conduct it on a large scale, by rapid conveyance of the negroes in some measure to lessen the horrors of the middle passage; and it is under this arrangement that Don Julian Zulueta and others are now engaged in the abominable traffic.

No. 252.

Mr. Layard to Consul-General Crawford.

Sir,

Foreign Office, March 31, 1864.

WITH reference to your despatches of the 12th and 16th of February, reporting the capture, by Her Catholic Majesty's steam-vessel "Neptuno," of a slave-vessel with 659 slaves on board, in the "waters of the British possessions of the Bahamas," I am directed by Earl Russell to state that it may be important to know the exact locality of this capture; and I am to desire that you will endeavour to procure authentic information on this point.

I am, &c.

Signed) A. H. LAYARD.

No. 253.

Consul-General Crawford to Earl Russell.—(Received April 19.)

(Extract.)

Havana, March 26, 1864.

MY last despatch of this series stated to your Lordship that the Lieutenant-Governor of Colon, who captured Zulueta's large expedition by the "Ciceron" in November last, was providing for his safety.

I have now the honour of stating to your Lordship that his Excellency the Captain-

General gives hopes, that seem well founded, of his being able to have his capture above referred to confirmed by the Royal Audiencia.

It appears that Arguelles was providing for his safety for another reason than that of the persecution of the slave-traders. He has absconded to the United States, and is accused of having (whilst he had the captured expedition in his possession) sold upwards of 100 of them into slavery.

Such, my Lord, are the men with whom General Dulce has to operate, and it is really true, as he himself says, it is impossible to know who is to be trusted.

His Excellency repeats his determination to continue his efforts to put down the Traffic, but he cannot do so unless the penal law is altered, and he must have unlimited powers to deal gubernatively with the slave-traders independently of the Royal Audiencia; besides which, slave-trading ought to be made piracy.

His Excellency informs me that, so far from being discouraged, the slave-traders appear to have embarked more extensively than usual at this time, as there are no less than six expeditions now expected to arrive.

No. 254.

Consul-General Crawford to Earl Russell.—(Received April 19.)

My Lord,

Havana, March 26, 1864.

I HAVE the honour of acknowledging to your Lordship the receipt of Mr. Murray's despatch dated the 1st instant, directing me, with reference to my despatch of the 23rd of January, to endeavour to ascertain the name of the slaver which was captured by a boat's crew of Her Catholic Majesty's frigate "Petronilla," and the port or place from whence she took her slaves.

I have now to lay before your Lordship a copy of my letter to the Captain-General on this subject (dated the 16th January), and translation of the answer thereto (dated the 21st instant), which I received on the 23rd, refusing to give me the required information upon the pretext set up by the Oidor Villaseca that it would be calculated to defeat the ends of justice.

Whether truly or otherwise, it is given out here that that capture, the one which took place near Remedios, and that which was effected at the Cayo de Doce Leguas, were all Portuguese; and as respects the crews this may be the case, but there is little or no doubt all the three expeditions belonged to parties here in Cuba, and that the negroes were Congos, nearly all of them.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 254.

Consul-General Crawford to the Captain-General of Cuba.

Havana, January 16, 1864.

ON the 26th ultimo I did myself the honour of addressing your Excellency, requesting to be informed respecting a vessel which I had seen in this harbour with Bozal negroes on board, and which appeared to me to be a captured slaver.

I have not been favoured with any reply to that letter; and as I consider it of great importance to report to Her Majesty's Government, in an exact manner, what has occurred with regard to the capture of the slave-vessel alluded to.

I have to request that your Excellency will enable me to do so, and will be pleased to inform me the name of said slaver, and that of her captain; the flag under which she sailed; the place of her capture, and by whom captured; as well as the place from whence she had brought her cargo of slaves, and the number found on board.

It would also be important that I should be enabled to state in my report to Her Majesty's Government the number of the persons found on board, and their nationality, as it has been rumoured here that, previous to her capture, the said slaver had had communication with the shores of Cuba, near this port; and that a certain person named Garcia had embarked on board her, and was found on board at the time of the capture.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 254.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.)

Havana, March 21, 1864.

THE Oidor Don Villaescusa, to whom his Excellency the Captain-General passed your Honour's letter of the 16th January last, says to his Excellency as follows :—

“Most Excellent Sir,

“I have received your Excellency's communication of the 29th January last, inclosing a copy of that of the English Consul of the 16th, asking for certain information respecting the apprehension of Bozals which took place recently on the coast of Mariel, as to which occurrence I am delegated by the Royal Audiencia to draw up the process.

“In reply to your Excellency I am under the necessity of stating that it is quite impossible in any way to satisfy the Consul's inquiries.

“It will not be unknown to your Excellency's high illustration that, whilst a criminal case is in summary process, it is impossible to disclose anything; and the Judge who did the contrary would be wanting in the discharge of the duty which the law requires him to perform. And if this is the case as a general rule, it is even more so in this case, where the Undersigned exercises his authority, not as of his own jurisdiction, but as delegated to him by the Supreme Territorial Tribunal, to which he has the honour to belong. When the Third Royal Court of that Tribunal, the real Judge in the case alluded to, finds itself in a position to give publicity to its results without inconvenience it will, no doubt, make to your Excellency opportune communication, and then you can give the explanations now asked for if your Excellency thinks proper.”

Which, by order of his Excellency, I transmit to your Honour in answer to your official letter.

God preserve, &c.

(Signed) JOSE VALLS Y PUIG.

No. 255.

Earl Russell to Consul-General Crawford.

(Extract.)

Foreign Office, April 21, 1864.

I HAVE to acquaint you that the Spanish slave-steamer “*Cicéron*,” which landed a cargo of slaves on the Cuban coast in the month of November last, sailed from Marseilles on the 11th instant, on another slave-trading expedition to the coast of Africa; and I inclose, for your information, the deposition of Antonio Farrugia,* a native of Malta, who served as stoker on board the “*Cicéron*” during her last voyage.

In the event of this vessel succeeding in embarking her slaves on the African coast and landing them in Cuba, you will see, from Farrugia's deposition, that her Captain intends to proceed to the port of Campeachy to procure a clearance for his vessel.

You will, if you should receive this despatch in time, warn the Commanders of any of Her Majesty's cruisers with whom you may be able to communicate that the “*Cicéron*” is expected to land a cargo of slaves on the Cuban coast.

No. 256.

Consul-General Crawford to Earl Russell.—(Received June 9.)

(Extract.)

Havana, May 10, 1864.

IN my despatch dated the 26th of March I reported the flight of Colonel Arguelles, the late Lieutenant-Governor of the District of Colon, who is accused of having sold some hundred or more of Zulueta's captured expedition, and went off to New York, and I compassionated the Captain-General as having to work with such a description of officials.

Colonel Arguelles it appears is giving to the world an insight of the machinations of Slave Trade, which, but for the rupture that has taken place, would in all probability never have been made public; it is, alas! but too true.

I transmit herewith to your Lordship two copies of what M. Arguelles has published at New York, under the title of “General Dulce and the Slave-Traders;” one is accompanied by a translation in English; the other by a translation in French.

Your Lordship will perceive by said publication that there is an imputation of a

* Inclosure in No. 84.

serious nature against his Excellency, who is accused of having ordered the liberation of Don José Carreras, of Don Julian Zulueta, and of his Administrator Vergara, all of whom were captured with the negroes, and also that the Oidor, Don Ramon Navarro, is alluded to most unfavourably. Allusion is also made to a certain "Balboa," who was recently in charge of the emancipados, as being connected with the frauds in respect to that so much abused class of the victims of slave-trading.

But, my Lord, out of the schism that has arisen some more truth has emanated, and I am enabled to lay before your Lordship the whole history of the first expedition (known as the captured expedition) of the steamer "*Cicéron*," the property of Don Julian Zulueta, and I say "the first expedition," because there is little doubt that on or about the 28th of March a second cargo, consisting of about 1,600 Bozals was safely landed from that vessel* and received by M. Zulueta. M. Arguelles says, that to facilitate that landing the Oidor, Don Ramon Navarro, had all the officers of the Colon district fast in prison, and so there was no one to oppose their introduction, or capture the negroes.

Several other cargoes of Bozals have been safely landed at various places in the island. The officers finding it impossible to recover the head-money for their captures, or to obtain their condemnation by the Royal Audiencia, none of these have been seized, and the slave-traders have had their way. His Excellency informing me, in answer to my inquiries, that no such information has reached him of any such landings.

I have the honour of transmitting herewith to your Lordship, an original statement which, in the form of an "exposition" addressed to the Queen of Spain, has been sent to me by Don Manuel Aguirre de Venero, one of the Capitanes de Partido of the district of Colon, who is imprisoned by order of the Oidor Navarro, accused of complicity in the sale of Bozals of Zulueta's captured expedition.

It is accompanied by a translation, but I thought it preferable to lay the original before your Lordship, rather than transmit a copy. By that exposition, it appears that proposals were made by Zulueta for introducing these expeditions of Bozals, and that the officers, viz., Arguelles, and those under his orders, seemed to acquiesce, the sum for the three being very large (exceeding 300,000 dollars), for which pagarés were to have been given under the guaranty of the Marquis of Marianao, the Brigadier Garcia Muños, and Don José Carreras.

I understand that Arguelles made known to General Dulce this proposition, but at the same time informed his Excellency that he would capture the expedition.

In the meantime the "*Cicéron*" had arrived and had landed her cargo, which had fallen into the friendly hands of some of the officers of another district (those of Cienfuegos), escorted by whom, and by Zulueta, Carreras, and Vergara, the negroes were marching along when they were met by Colonel Arguelles and his officers who feigned as combining with them, and did not intimate their capture until the following day, when they had made their dispositions so that none could escape. The negroes were secured whilst Zulueta, Carreras, Vergara Loyri, Musquita, and others captured with them, were taken in custody to Zulueta's estate, the "Alava," but in a day or two all these criminals were set at liberty by an order from superior authority, a proceeding that is quite unaccountable; but such was the case, and although the negroes are held in custody as the "cuerpo de delicto," the guilty parties are suffered to be at liberty and about their business.

It is true that Don Julian Zulueta has been imprisoned by order of the Oidor Navarro, but so far as I have been able to learn, he is not there upon the charge of slave-trading under the penal law, but upon some technicality of the law, more to cover appearance than any thing else; and the principal cause as relates to the captured expedition appears to lay over in the Royal Audiencia, no doubt giving time to get together a sufficiency of false evidence to entitle the claimants to the protection of the concluding paragraph of the 9th Article of the Penal Law, and warrant the Royal Audiencia in restoring the negroes to the all powerful millionaire, to be kept in slavery.

I trust, my Lord, that with these incontrovertible documents which I have been able to transmit, and what I have been enabled to show were the facts of the expedition of "Las Pozas," enough has been adduced to prove the lamentable state of degradation which, produced by the demoralizing effects of corruption and subordination attendant on the Slave Trade, pervades all classes of the officials here in Cuba, so that slave trading continues, and will continue, until it has been felt that justice is stronger than gold, and that its honourable administration cannot be tampered with.

But some marked example has necessarily to be made, or else the predominating belief will continue, that the laws are for the poor, and that pains and penalties cannot reach those whose wealth enables them to commit the most flagrant offences, the punishment of

* It must have been from another vessel, and not from the "*Cicéron*."

which they know is to be evaded at a comparatively small sacrifice, and this security emboldens them to the commission of other and greater crimes.

I trust, however, that these most important disclosures, when represented in the proper quarter, will at last be convincing to that Government which has so long listened to our just and well-founded complaints, without any effort on their part towards the observance of their obligations under the Treaty of 1835, so as that an end will be put at once and for ever to the detestable Traffic in Slaves from the coast of Africa to the Spanish colonies.

Inclosure 1 in No. 256.

Extract from the "New York Herald."

CAPTAIN-GENERAL DULCE AND THE SLAVE-TRADERS OF CUBA.

To the Editor of the "Herald."

THE arrival of the steamer "Eagle" enables me, at least partially, to expose the origin of the vile calumnies preferred against me after my departure from Havana. These accusations were mentioned on the 11th of April by the correspondent of the "New York Herald," although without using my name. I felt myself in duty bound to answer them on the following day; for men of honourable name and unquestioned integrity never permit calumnies to pass unnoticed, even when preferred anonymously.

The gold and purchased power, which are impudently displayed by those engaged in the iniquitous Slave Trade, by the authors of this calumny, were not able to buy me, nor can they impose silence upon him who, like me, has the heart and the spirit of a man—of an honest and disinterested man.

I, proceeding with the subordination and loyalty that distinguish every Spanish soldier, could not defend myself without justly and rightfully attacking the Captain-General of Cuba. This would have been a marked infraction of military rules. It was then necessary for me to choose between my rank and position in the army and my honour. The choice could not be long doubtful. I resigned the former, and on the 31st of last March I addressed a petition to Her Majesty the Queen of Spain, by the steamer "Correo Aguila," resolving at the same time to await in silence the return of the ship bringing me the certainty that my resignation and separation from the military service had arrived at its destination. I also communicated to the Captain-General, through his Secretary, my decision to defend my honour, in case he would not do it, with the loyalty and justice of one fulfilling a bounden duty. This proves that I have been fair, even in the attack; for I desired to avoid a collision on account of my country's honour. I therefore warned him to hold himself in readiness for defence. Thus I have acted as became my honour. Let God and all honest men be my judges.

The resignation of my rank and military position are to be found in the documents, now published for the first time, and marked with the numbers 2 and 3. I said at the beginning that my declaration would appear with a provisional character, because in the short term in which my honour demands a public satisfaction it is impossible for me to finish and publish the lengthy and complete exposition of the facts, which I shall bring before Congress and Europe simultaneously.

But this short narration, accompanied by the communications to the Captain-General of Cuba, together with those I have lately addressed to his Excellency the Civil ex-Governor of Havana, Don Pedro de Navascues, impelled by a duty of friendly delicacy—he being another victim sacrificed by the same intrigues—will throw such a light on the subject that public opinion shall, although not judge with complete accuracy, at least form an idea of the facts, deferring its final judgment until the appearance of the lengthy and complete exposition now in preparation.

I begin by the following letter, addressed to Señor Navascues:—

"Excelentísimo Señor Don Pedro Navascues.

"My dear Sir and Friend,

"On the return of Don Julian Zulueta from his voyage to Europe, at the end of last September, General Dulce received a very particular letter of recommendation, given to the former by General José de la Concha, which I shall examine minutely in the European press, confining myself at present to telling you that since the above-mentioned date the intimacy between Dulce and Zulueta was great and generally known.

"On the 5th of the following October I was appointed Gobernador de Colon, in

which district Zulueta has all his sugar plantations; and on the 6th of November I seized the cargo of 1,073 negroes (Bozals), which I delivered to the Government.

"General Dulce, at the great scandal of the community, sent to me his Secretary, for the purpose of setting at liberty all prisoners, conductors of the lighters. All these were Zulueta's managers, besides others of whom the public shall know. The said Secretary, starting in an extra train, reached me at Guines, where I gave an order by telegraph to set the criminals at liberty, which was done. It was my duty to obey.

"During the entire month of December, Zulueta continued to be the favourite friend of General Dulce, and at the beginning of January he was appointed Alcalde of Havana.

"The public astonishment at such conduct, and the security with which Balboa, who was then the chief of the Trade, affirmed that the negroes would be returned to Zulueta, forced upon me a journey to Havana in order to inform General Dulce of my astonishment, and the damage he might sustain in public opinion.

"I leave you to imagine the effect produced upon me by the following answer:—

"Arguelles—Do not mind what they say. Zulueta has been here only three times; I cannot but receive him, because he has offered me a letter showing that he gave 3,000 doubloons to Navascues for the passports which were ordered by me to be given to his negroes. My honour is concerned in this affair, for I proceed without proofs, and I need them, although I see that either Navascues or I must die."

"I confess that I was terrified on hearing such a manifestation, which revealed to me two things; the wickedness of Zulueta lending himself to such meanness, and that of General Dulce, in giving me to understand in last October, that he possessed all the proofs against you, and causing me to write to my good friend, the Count of Balazote, to assure Her Majesty that such proofs were in his possession. The assurances he gave me were of such a character that I was obliged to abstain from visiting you during the last days of your residence in Havana.

"The following circumstances also tended to strengthen the asseverations of General Dulce:—

"On the day of your embarkation Balboa presented himself to the General and told him that, although he was convinced of your evil proceedings, he cannot but take leave of you, because you were both still friends; but he did not wish to do it without the General's permission which was immediately granted to him.

"After all I have narrated, five months after the capture, scandalous accusations were renewed against my subordinates for having concealed the fact that captures had been made, and, consequently, kidnapping had been practised. The Oidor who brings the accusation, is a man of well known antecedents and insignificance, cousin of Balboa, who even officially had taken the part of the slave traders.

"The testifying witnesses are for the most part servants of Zulueta. Of this I have authentic proof.

"The Oidor, Don Ramon Navarro, is branded by public opinion as devoted to the traders, and his cynicism reaches such a point that he is always publicly accommodated by a certain Sotolongo, an agent of Zulueta in the affairs of the captured cargo. His impudence was carried to such a degree that an extra meeting of the Members of the Ayuntamiento having been called on the 2nd of March to treat about the work of the market "Del Cristo," it could not take place because the slaver Alcalde, the Oidor, and the Notary had gone the day before to the distaict of Colon in order to prepare their revengeful schemes against the loyal subjects of the Government. They were accompanied by the manager, Vergara, who had been freed by the good Oidor the day before.

"This fact alone, officially public, ought to have been more than sufficient to cause the Audiencia for its own honour, if not for the respect due to the sanctity of the law, to proceed against the magistrate that in such a manner scoffed at it.

"The Captain-General appears to be opposed to the Oidor; but still he allows him to do what seems good so him.

"The British Consul reclaims with reiteration, energy, and with sufficiency of reason and right, for even English negroes were seized as slaves. The General refers the reclamation to the Oidor, and this disdainfully answers, denying the assertions of the Consul. Sublime example of respect of Treaties! The General confines himself to instruct the Supreme Government. Magnificent sign of administrative energy! Zulueta laughs at everybody.

"At the sight of such excesses I presented myself to the General, asking that my subordinates might recuse the Judge, and that an information be made to show the illegal facts of the proceedings.

"General Dulce appeared and dissuaded me, giving me an autograph letter, which I still possess, for had I presented it to the Oidor it would have disappeared. In this letter, dated 6th November, he ordered me not to capture the conductors of the cargo, and reward, at my will, those who had contributed to the capture. By a verbal authorization of the General on the 14th of November, I had given 5 negroes to each one, and with the value of others very few, the expenses of the capture were paid. I keep this complete authorization, and, although the General has told the contrary to the Regente de la Audiencia, I am undisturbed, for the document is in my possession, and the Cortes will recognize it,

"Then, with the approbation and advice of General Dulce, I bargained for the proprietorship of 'La Cronica,' of New York, and with his permission and passport I came to this city.

"As soon as I left Havana my subordinates, the police of my district, and my secretary, were arrested and taken to the Fortress la Cabana.

"The good Oidor demanded my detention, and the sequestration of my property. All this, doubtless, in consequence of the document No. 1, that I wrote to the General on my leaving Havana. I received information from Havana. I put off my return, remembering the great maxim of an eminent French magistrate, and addressed communications Nos. 2 and 3. So, the district of Colon being deprived of its legitimate authorities, on the 28th of last March 1,600 negroes (Bozals) were disembarked once more, brought by the same steamer 'Cicero,' of Zulueta's property. He then commenced to report that I had escaped to New York, after selling and taking the value of 200 negroes of those captured by me and delivered to the Government. I answered through all the newspapers. I addressed to the General communication No. 5, for No. 4 is the one I published in the papers.

"This short review, by the relation which it has with you, may serve as an explanation and a satisfaction of my coldness with you in the last days of your command in Havana, and you may give to this letter whatever publicity you may desire.

"In this document I omit to mention the selling of emancipados, and other facts unfavourable to General Dulce, mostly after the fall of the administration of O'Donnell and Miraflores, not because they do not concern you now, but because I am occupied with a lengthy exposition to Congress and Europe. May it contribute to better the sad fate of the unfortunate Island of Cuba—unfortunate for so many reasons, and worthy of a better Government, may it serve to put an end to the execrable traffic in human flesh—the source of so much iniquity, of so much ambition, and of so much impurity, which tend to annihilate this wealthy but neglected country. And may it, finally, expose those betitled grandes—bearing crosses and orders, fruits of their infamous trade—and those authorities which, abusing their position, spread scandal in the unfortunate Island of Cuba, trampling under their feet the solemn Treaties, and laughing at the face of justice and law.

"Yours, &c.

(Signed) "JOSE A. ARGUELLES."

Document No. 1.

"Excelentísimo Señor Marquis de Castell-Florite.

"General and Sir,

"Havana, March 12, 1864.

"Last evening your sudden absence prevented me from receiving your latest orders, and from consulting you about the official communication which you were about to hand over to the good Oidor Navarro. I herewith inclose a copy.

"You will comprehend, General, that in presence of questions of honour we ought not to vacillate.

"In capturing the cargo I did you an immense service, and I did it rejecting the great fortune offered me. The result has been and is very sad.

"It is well that the affair Navascues has obliged you to give to the trafficker Zulueta a protection that he does not merit; but it was not sufficient that my loyal subordinates should suffer beneath the weight of entangled accusations, calumny, and revenge.

"I should have looked upon all this calmly for the sake of pleasing you, who had requested me not to promote collision of any kind. To please you I would sacrifice my life; but my honour, and that of my subordinates, neither for you nor for any man.

"I depart with the hope that all this will be ended during the twenty days of furlough in New York which you have so kindly granted me, and that on my return I shall render you my services with my accustomed loyalty. If it is not so I shall be obliged, though with sorrow, to declare to the world on which side justice and reason are to be found.

"Yours, &c.

(Signed) "JOSE A. ARGUELLES."

*Document No. 2.**"New York, March 29, 1864.*

"Don José Agustín Argüelles, Lieutenant-Colonel of Cavalry, Knight of the Royal and distinguished Spanish Order of Charles III., of the Military Order of S. Hermenegildo, decorated by His Majesty the King of Denmark with the illustrious Order of Danneborg, formerly a Deputy to the Cortes, and Lieutenant-Governor of the district of Colon, to your Royal Majesty, exposes:—That as his position as a military officer does not allow him to present to your Majesty the manifestation of very grave facts against the Captain-General of Cuba, and in the defence of the honour of the informant, because his testimony, although respectful and dignified in itself, would always be in opposition to the military ordinance, he begs your Majesty to accept the resignation of his rank and military position, granting him an honourable and unconditional discharge, renouncing all advantages being reduced to the rank of a private citizen, in which he considers himself from the very moment in which he addresses to your Majesty the present Memorial.

"God preserve, &c.

(Signed)

*"JOSE A. ARGUELLES."**Document No. 3.*

"Excelentísimo Señor Captain-General of Havana.

"Excellency,

"New York, March 29, 1864.

"According to the Royal Ordinances, I present to your Excellency the accompanying memorial for Her Majesty, in order that your Excellency may send it to the desired destination.

Document No. 4.

"To the Editor of the 'New York Herald.'

"Sir,

"New York, April 11, 1864.

"The Lieutenant-Governor of a district in the Island of Cuba, mentioned by your correspondent from Havana in his letter of the 2nd of April, published in your issue of to-day, cannot answer, as he should, the serious accusations or insinuations contained in that letter, without accusing in the most solemn and grave manner the constituted authorities of that unhappy country. Important considerations impose silence upon him until the next return of the steamer 'Eagle.'

"I limit myself now to the statement that I have arrived at New York with passport and permission of the Government, that my embarkation in Havana was public and known by all, and by the superior authority from whom I took leave.

"I finish by declaring that I have been the only Lieutenant-Governor that has captured and sent to the Government a shipment of 1,073 negroes (Bozals), thus showing a proof of respect to the international Treaties, and persecuting the infamous Trade in human flesh.

"I remain, &c.

(Signed)

*"JOSE A. ARGUELLES."**Document No. 5.*

"Excelentísimo Señor Marquis de Castel-Florite.

"General and Sir.

"New York, April 12, 1864.

"By the 'Morning Star,' arrived at this port on the 10th, has been received and published the news which you will see in the 'Messenger Franco-Americain,' which I inclose. The other papers have copied it, and in all appears my provisional and dignified answer.

"I offered to defer my declarations until the return of the 'Eagle,' and to the last moment I wish to be fair and consistent. What the 'New York Herald' has published against me is horrible. But I, being tranquil with the consciousness of my right proceedings, with the clear and unanswerable proofs I possess, and with the security that my honour will shine pure and uninjured, wait calmly for the day of the most ample vindication, if you, yielding to the feeling of justice, loyalty, and gratitude, have not vindicated me, as it is your duty.

"At the same time in which they publish here the debarkation of another cargo of negroes at the Enseñada de Cienfuegos, I receive its details in a complete manner. That will convince you that the Oidor Navarro asked for my departure from Cuba in order to facilitate the disembarkation by the common consent of the slavers. The consummation of the fact renders all arguments useless.

"I had also informed you that the Oidor Navarro has been bribed, and everybody knows from whom, and through whom, he has received 40,000 dollars.

"Such immorality and such scandal in that unhappy country seems incredible.

"They notify me of the voyage of Balboa to Madrid, and the instructions which he bears. I repeat it, infamy hastens to scatter calumny; truth and honour are never precipitate. Farewell, and good voyage to the official agent of the slave-traders, the cousin of the purchased Oidor. But I will be always very much surprised that you have put faith in him, knowing, as you did, his evil proceedings.

"Some friends write to me that in that city they are forming a plan of sending an assassin against me. I read it with a smile of contempt.

"We must, General, believe blindly in the providence of God. Remember the year 1854, in which you put me in a bad predicament in the palace of our Kings, and among my friends and political clubs. I suffered and was silent, because lofty, very lofty considerations imposed this duty on me. I have always been loyal.

"But in the year 1864, God, against my will, put me in your way. He obliges me to show you, for the second time, my loyalty, and as you endeavour to repay it with my dishonour, I must break a silence that would be criminal. And this, General, is not Providence.

"In the year 1853 and in 1863 I was, without soliciting it, your good angel. In the former I delivered you from a just process, contributing to make you occupy a high position. In the latter I saved your honour, by capturing a cargo of 1,073 Bozals, for the admission of which an accusation has already been brought against you at Madrid. What have I gained for such important services? What—after neglecting 300,000 dollars that the slave-traders offered me for their liberty and that of one-half the negroes? Answer, General, with your hand on your heart.

"Before God and men I have fulfilled the duties of an honest man. I discharge my responsibility.

"Yours, &c.
(Signed) "JOSE A. ARGUELLES."

I think all this will be sufficient for the public to form an idea of the events which cause these publications, or at least to suspend its judgment until a lucid exposition to Congress will manifest an infinite number of facts, with explanatory documents.

In the meanwhile, let the persons concerned answer the following questions, with which I finish this explanation. I shall give the explication to the national Representation:—

What is the meaning of the entrance of four vessels of negroes, three full and three short, introduced in the Island on these last days, to which the "Messenger Franco-Americain" alludes in its issue of the 12th of April?

With what reason the slave-trader, Zulueta, Alcalde of Havana, assures respectable persons that he is obliged to give 100,000 dollars for every shipment. Why does he pay? and who receives the money?

What is the meaning of those last appointments of the subordinate authorities by General Dulce?

Why was Duranona exiled and Zulueta let free and furnished with a passport, the crime of both being the same, and committed at the same time?

Why have the Bozals seized at Las Pozas been returned and declared slaves when the Government of the Island has declared free the innumerable emancipados seized after the Treaties abolishing the negro trade? and why are these unhappy in a worse condition than the real slaves?

If General Dulce declared to the Government that it was impossible for him to rule with the Audiencia, why does he allow it to meddle in his Administrative jurisdiction, and suffer to see his power annulled? Will that be a preparation for a good *juicio de residencia*?

With what reason and right will they continue to vociferate that, under the paternal command of the Duke de la Torre, negroes were introduced into the island? Could it be proved, as I prove it to-day, to him who is now ruling?

What would the gallant and noble General Lersundi say if he knew the unworthy interpretation given to his polite and disinterested letter, written as Secretary of War to General Dulce?

Let Congress wait, let public opinion wait; they will have sufficient proofs to give a definitive sentence.

(Signed) JOSE AUGUSTIN ARGUELLES.

New York, April 18, 1864.

P.S.—The supplement to the "New York Herald" of the 25th of April, contains a correspondence from Havana, in which it is stated that a most influential planter and other persons had been arrested for the fraudulent introduction of negroes. My private correspondence gives me the same intelligence, as well as the names of the persons arrested. Certainly I do not think that I have the same motives for not mentioning their names as the correspondent of the "New York Herald," but if I disdain to mention them, I will not be prevented from exhibiting the facts to public opinion, which it is sought to surprise and deceive by a legal comedy, whose foreseen development and foregone conclusion, between General Dulce and his assistants and actors, will be such as a Captain-General and his magistrates desire they should be—not blushing to add ridicule to the terrible responsibility which weighs upon them.

J. A. A.

New York, April 26, 1864.

Inclosure 2 in No. 256.

Señor Aguirre to Consul-General Crawford.

(Translation.)

*Castle of the Cabana, Calabosa, No. 43,
April 30, 1864.*

Respected Sir,

YOUR Honour being an officer in the service of your Government at this place, and having to acquaint your Government of what takes place with respect to the African Traffic, I have thought it not only convenient but necessary to send your Honour a true copy of the respectful exposition which I have laid at the feet of my Queen.

By the said writing, which is hereto annexed, your Honour will see but too well that an officer of the Government, for having done his duty, has been rewarded by being sent to a dungeon; showing the impossibility that the Treaties between two friendly nations are a reality, but the plaything of these pertinacious (outfitters) adventurers.

I hope to obtain justice from my Queen; but being an unforgiving enemy of the immoral African Traffic by political conviction, whether at liberty or in prison, as such I shall denounce, in the face of Europe, the immoral acts of this commerce; therefore your Honour ought to know that in the captured expedition for which I am in prison, they have sold as Bozal slaves negroes who have been seamen in English ships of war, and who spoke English and Portuguese with sufficient perfection.

If this can pass unnoticed before the eyes of the watchful English Government, there can be no doubt but that we shall soon see the slave-traders in their cunning selling whites for new negroes, since they now sell English subjects as Bozals!

I authorize your Honour to give to this letter and its inclosure all the official character you consider necessary, assured that with my signature I shall be responsible for the truth of the acts I have stated, and I have, &c.

(Signed)

MARIANO AGUIRRE DE VENERO.

Inclosure 3 in No. 256.

Respectful Exposition made to his Queen by Don Mariano Aguirre de Venero, incarcerated in one of the Dungeons of the Fort La Cabana, in Havana, for being implicated in the proceedings relative to the Seizure of an Expedition of Bozals which belonged to the millionaire Don Julian Zulueta, the ne plus ultra of the vast Secret Society of Slave-Traders in the Island of Cuba.

"In the world wherein we live, every one boasts of loving truth. Nobody, however, wishes to hear it, and many calumniate him who has the courage of telling it."

Madam,

DON MARIANO AGUIRRE DE VENERO, a native of Barcelona, married, a retired Captain of your army, ex-Commander of battalion of the Mexican army, now a prisoner in one of the dungeons of the Fort la Cabaña, availing himself of the high prerogative granted by the Royal Ordinances of the Army of approaching the Throne and of submitting his griefs, has the very great honour of exposing to your Royal Majesty that—

There is now pending before this Royal Audiencia a case which is being conducted by the worthy Magistrate of the Second Court of Justice, Don Ramon Navarro, in consequence of a seizure of Bozal negroes made by the officers of the Government, who, without any regard being shown for their official position, and still less for the high confidence

reposed in them, and which they have deserved for having accomplished such an arduous duty, now find themselves contending against the dark, secret, cunning, and powerful intrigues of the slave-traders, who naturally act in self-defence and try to save their interests. This cause, Madam, for many powerful reasons attracts public attention, some being actuated by interested motives, and others by an anxious regard for the cause of truth and justice.

The reasons are powerful, for in this case it is question of a prize which in hard cash is valued at no less than 1,300,000 dollars. Here a millionaire will not consent to be less than a power (absolute), as the millionaires of Cuba are called. In this case their aim is to give the captors a death blow, and thereby to leave on record that the law cannot with impunity be enforced against the Traffic in human flesh, by which a millionaire amasses wealth; and finally, Madam, that a scandalized world may see that there is neither power nor law which can withstand the influence of gold. It is manifest that the wounded pride of a millionaire pretends to attain such objects, other powerful reasons being also involved: the character of the Magistrate who is conducting the case, the rank of the officials who figure in it, as well as the high complications which may arise therefrom, not mentioning the great interests which many consider now to be exposed, such being the power of the millionaire that he permits no allowance to be made for the actual circumstances through which the island is passing, in which his flattering share does not fail to evince symptoms of fragility.

From the first word uttered by the exponent in this case, an accumulation of subterfuges is to be observed, not proceeding from a desire of lying, not from the fear that should the truth prevail he might see his reputation and his good name suffer, nor from any wish to conceal the crime; but emanating, in fact, from the caution of being silent as to the truth, which was given him by his Chief by order of his Excellency the Captain-General of this Island and its army. This was, Madam, the reason why he complied with his duty of subordinate, refusing at times to admit the truth, and at others to state facts which could favour him and exonerate him from the culpability which is tried to be brought against him. He then thought that such self-denial and chivalry would have been duly appreciated. Vain delusion! He found himself a doomed martyr, the target of the vengeance of the slave-traders; whilst with false hopes, all sorts of means were employed to prevent the truth from being divulged, at the same time making exponent and his companions their victims. Such an extraordinary proceeding, Madam, cannot be conceived nor explained; but as the truth, notwithstanding all efforts to hide it, always comes to the assistance of the innocent, your exponent, unwilling to be used as a passive instrument any longer, has determined to expose it, in order that he may obtain from the tribunal of public opinion the justice which he merits. This truth comes from a man whose purity and chivalry are attested by eighteen years' service and by honourable certificates; so that it is impossible to believe that falsehood should invalidate such good antecedents; moreover, as the facts have been public, he will make this exposition public, in order that those who think that they can refute it may do so through the Press.

Your exponent, Madam, went to the Lieutenant-Governorship of Colon, accompanying the Lieutenant-Governor, Lieutenant-Colonel Don José A. Arguelles, appointed by his Excellency the Captain-General of this island, with no other object on the part of your exponent than that the said gentleman might avail of his services, should he think fit to do so, as a friend; your exponent having left the service in Mexico on account of not wishing to sign a declaration which the Congress of that country exacted from all Spanish officers to the effect that they should consider as enemies all Spaniards entering the Republic with arms in their hands, and finding himself, in consequence, without occupation or employment in either army, notwithstanding the services he rendered to his Excellency the Conde de Reuss, General-in-chief of the Expedition in Mexico, he accepted the protection which the above-named M. Arguelles offered him in good friendship.

Nothing more interesting nor more worthy of the attention of the Lieutenant-Governor than the Secretaryship of that Government, which was given him without the nomination of the superior authority, as also without salary, because, that Government being one of third class, is not entitled to a Secretaryship; it being therefore manifest that the word "Secretary," by which he was known, was incorrectly applied, whereas he was nothing better than the servant of M. Arguelles; notwithstanding which, he appears in the cause as Secretary, whilst he is so only in name.

On the 8th of November your exponent received a commission from the Lieutenant-Governor to go and see the Brevet Commandant, Captain in this army and Captain Local Justice of the District ("Partido"), of Palmillas, Don Antonio Prats, and to hand him a letter from the Lieutenant-Governor, and likewise to give him verbal instructions to proceed to the capture and seizure of an expedition of Bozals, which was to pass into the

jurisdiction of Colon from the place of disembarkation, on the coast of Cienfuegos; ordering him not to enter into any other jurisdiction before being authorized to do so. The same orders were communicated by the exponent, the same night, to the Lieutenant of Jagüey Grande, district of Hanabana, Don N. Tabala; and in obedience thereto, the above-named officers set to work and took the necessary measures to watch the entrances into the jurisdiction by the passes of Amarillas, San José, and Santo Domingo, at which places they remained waiting orders to penetrate into the neighbouring jurisdiction, until the night of the 10th, when they started under the command of the above-named Prats; and, agreeably to the instructions which the Lieutenant-Governor had given, accompanying them as auxiliary, Don José Toral, Lieutenant in the Rural Police, who, with his command, happened to be at the said place since the 10th.

On the 11th, at daylight, they entered the jurisdiction of Cienfuegos; and about 11 o'clock in the morning they joined the expedition of Bozals which was coming on foot at about one league and a-half distant from the Crocodilo, on the road to Orbea.

At that moment the Commandant Prats and exponent spoke amicably with the slave-traders, or conductors of the expedition, these being Don José Vergara, General Administrator of Don Julian Zulueta, the millionaire; Don Tomas Goiry, a relative of the said Zulueta; Don José Carreras, a rich merchant of Havana; Don N. Musquita, a Portuguese master of a merchant-ship; many other persons, and amongst them officers of the Government of Cienfuegos.

The force from Colon was divided into squads forming an escort to the Bozals, every thing going on with perfect order and harmony.

This clearly and positively proves at once that a prior arrangement existed between the negro traders, conductors, officers, and soldiers, for had it not been so, it is clear as daylight that the perfect harmony which was observed all that day and night, and part of the next day, could not have existed.

Harmony which contrasted very badly with the very private orders to capture the expedition, which had been given to the Agents of the Government by the Lieutenant-Governor of Colon, in the name of his Excellency the Captain-General, copy of which is as follows:—

“Lieutenant-Government of Colon.” (There is a Seal.) “To Messrs. Aguirre, Prats and Toral.”

“The General orders me not to give up the expedition to anybody, and to tell the Government of Cienfuegos that everything has been done by his superior order, and that I am the only one responsible; and I have written this to the Governor of Cienfuegos, but should he present himself, you will tell him that you are sent by his Excellency, and that you cannot deliver it nor cede it to anybody; thus I communicate it to you by superior order. You are aware that your Governor does not overlook any acts of disobedience.

(Signed) “ARGUELLES.

“This 11th day, at 6:30 P.M.”

From whence arose this intelligence? From whence the deception practised upon the conductors or slave-traders?

The Lieutenant-Governor of Colon, Don José Agustin Arguelles, has explained it to the said MM. Vergara, Goiry, Carreras, and Musquita, exhibiting to them a letter from his Excellency the Captain-General, in which he was ordered to seize the expedition of Bozals under his most strict responsibility. And in the same letter his Excellency told him that he knew that the Lieutenant-Governor had sold himself for 40,000 dollars, and that he had to make his choice between the money or a fortress, in which he should lose his liberty and his office.

Therefore it is clearly and conclusively proven that the slave-traders had had beforehand an understanding with the Lieutenant-Governor to allow the expedition to pass without hindrance.

These forcible facts, Madam, bring your exponent to the culminating point which, without failing in his respect towards his superiors and to the authorities, he cannot explain to himself. What high, what powerful reasons, can have swayed his Excellency not to proceed against the Lieutenant-Governor of Colon? for neither before nor after has any step been taken to clear up the conduct of an officer accused of having himself sold for 40,000 dollars. Was it because this officer justified his conduct completely to the satisfaction of his Excellency? This might be, but the conductors or slave-traders have, with sufficient reason, qualified this way of proceeding as most undignified; for through a lure, covered by an appearance of good faith, their expedition has been seized, and in doing

so the authorities, in lieu of preventing the transgression of the law, have been parties to it. And well it could have been avoided by not permitting the expedition to disembark!

In this there has been more than covetousness—want of good faith; and an enigma then arose which other data will solve, it remaining established that they have obtained what they desired.

It is also well to remark, Madam, indispensable accusation that the authorities of Cienfuegos did not move in prosecution when this expedition was landed, where were the Lieutenant-Governor, the Alcalde Mayor, the Fiscal? Nobody knew what was going on. This also contrasts with the fact that neither in Colon did the superior authorities move. What mystery! It appears that all the responsibility was to rest on the subaltern agents. Was it because they feared the anger of the millionaire?

But what is clear is, that the one and all of them having, apparently, failed to do their duty, by not appearing in the act of seizure, are to-day enjoying lucrative offices, whilst the whole weight of the responsibility is borne by the subalterns when it ought to be borne by their Chiefs. On the 12th, the following day, the expedition reached the Sabanas de Santa Rosa, on the Royal route of Copeyes, at Santa Maria; there the Señor Commandant Prats ordered the exhibition to halt, and declared it a prize, in the name of the Captain-General, and prisoners its conductors or negro traders. The titular Secretary, your exponent, took charge of the prisoners Vergara, Goiry, Carreras, and Musquita, and went with them to Colon, where he introduced them as such to the Lieutenant-Governor, and they remained in the Government House of the said Chief.

The Commandant Prats, assisted by the Rural and Civil Guards, took the Bozals to the pasture ground ("potrero") of the Serafina, taking there all the precautions dictated by his zeal to secure the prize, and waited for further orders of the Lieutenant-Governor.

That very night the exponent went in search of the Commandant Prats by order of the Governor, to tell him that they were to march at daylight and bring the Bozals to the depot "Agüica," adding, "the Lieutenant-Governor has ordered me to tell you that his Excellency, the Captain-General, having authorized him to make a present of five negroes to each of the captors, you are empowered to make a choice, and to separate from the rest." But the latter refused to do so; saying, that by an order in his possession, received from the Chief, he was made responsible for a certain number of Bozals; that he could not tell whether the number was correct, having charged the Lieutenant-of the Civil Guard on entering the pasture ground to count them, which the latter attempted to do, but was prevented from ascertaining the exact number, for this: that the counted negroes mixed themselves with those not yet counted, and because it was past 10 o'clock at night.

The exponent went to Colon with the Captain Musquita, to whom the Chief had granted leave to take his luggage, Musquita sending that of the other prisoners to the plantation "Alava," the property of Don Julian Zulueta.

The prisoners slept that night in the Government House, and the next morning, the Lieutenant-Governor having gone to Agüica, the exponent, by order of the said Chief, remained with the prisoners under his charge.

That same day, the Lieutenant-Governor went by railroad from Colon to Havana, with the whole expedition of Bozals, ordering exponent to keep the prisoners in his custody, and telling him that if they were to be set at liberty, he would send the order by telegraph.

Here, Madam, a fact took place which is worthy of being mentioned; it is no accusation, it is a fact. When the cars stopped at Colon to take water, the Chief Alcalde and the Fiscal accompanied by the Notary, appeared before the Lieutenant-Governor, and officially asked him whether he had brought in any whites with the expedition. To which the Chief answered: "By order of his Excellency the Captain-General, I am conducting, to place at his disposal, an expedition of Bozals—Bozals and nothing else." With which answer they remained satisfied, as if they did not know of the arrest of the white prisoners, when all the town knew it, on account of the guard which was placed over them. This, Madam, indicates more than bye-play unworthy of authorities.

The next day exponent received a telegram from Guines, signed by the Lieutenant-Governor, saying to him: "The friends who are in the house, may go whenever they please." Upon which they were set free, M. Vergara remarking: "That the Lieutenant-Governor had obtained his freedom from his Excellency, because he had just rendered him a service which was, for him, of the greatest importance in the Navascuez affair." M. Goiry answered: "Our Agent, M. Sedano, has also worked hard."

In this, Madam, a very remarkable circumstance is to be noticed: that very same day another special train left Havana in search of the Lieutenant-Governor of Colon, with

this remarkable fact, that the person who came in it, was the Secretary of his Excellency the Captain-General, and as the result was the freedom of the prisoners, there is a mystery in this, which, as the truth is not known, every one interprets according to his own fancy; the least and most probable interpretation being, that high influences were at work in the matter. And also here, Madam, the facts cannot explain why his Excellency the Captain-General did not give up the prisoners to justice, as is prescribed by law. Your exponent would respect the powerful motives which actuated his Excellency to do as he did, were it not that such a way of proceeding has given rise to an accumulation of charges against the prisoners Prats, Aguirre, and Toral. A few days after the return of the Lieutenant-Governor from Havana, he ordered the exponent, the MM. Prats and Toral, and some twenty-five Civil Guards, to deny, if questioned under oath, that there were any white prisoners with the expedition, and to say that they had all escaped, adding, that he gave this order by command of his Excellency the Captain-General. The above-named three prisoners, with all due respect and submission, observed to him, the Lieutenant-Governor, that this matter might place them in an awkward position; and notwithstanding this observation was repeated thrice, the aforesaid Chief always repeated: "I command you to do so by order of his Excellency the Captain-General, your duty being to obey and not to object."

The irrefutable proof of this order is, that the Lieutenant-Governor has declared it in the proceedings where it stands in his own hand-writing and signature.

In this case, Madam, the vehement desire of his Excellency to save the white prisoners is so remarkable, that it went so far as to force his subordinates to lie officially, to deceive the Magistrate, to deride the law, and practising upon the sacred Ministry of a whole Audiencia so respectable as that of Havana, if it be true that his Excellency so ordered it.

It may be said, Madam, that it is not conceivable how those subordinates were so obedient; but, ah! Madam, in Cuba it would be hard to find any one who would oppose a Captain-General whilst in command, for your Majesty knows too well that absolute rule admits no answer; moreover, the slightest observation would have undoubtedly sufficed to deprive the officer who made it of a situation upon which, perhaps, depended the subsistence of a family.

The Judge, Don Ramon Navarro, arrived at Colon, and the gentlemen who had been prisoners claimed the captured expedition as having been illegally made, saying that they were not slave-traders but purchasers of Bozals on the coast, and their anger and hatred towards the captors suggested to them the Machiavelian idea of stating that there were more negroes in the expedition than there really were, so that by alleging embezzlement, the captors might be tried for it, they themselves forgetting the favours they had just received from his Excellency.

The Magistrate, observing the obstinacy of all in denying the existence of white prisoners, gave greater credit, no doubt, to the crime of embezzlement; his conviction became stronger by the denial, also, that the captors had received five negroes each from the Lieutenant-Governor, by order of the Captain-General, as a reward to the faithful and loyal captors who had despised the gold of the slave-traders, with injunctions not to say anything about it to the Magistrate, for his Excellency did not wish that it should be known that he had granted such a favour. The stronger the obstinacy of the captors in denying the existence of the prisoners and of the negroes awarded, the greater was the zeal of the Judge in endeavouring to establish the truth, not alleging ignorance of the facts, for he heard all about it *vivâ voce* from the Lieutenant-Governor.

The Judiciary wanted to establish what had been done by his Excellency, and has succeeded in doing it.

The evident and irrefutable proof that this is the truth is, that it is corroborated by the Lieutenant-Governor's own handwriting and signature in the proceedings.

The Magistrate pretends to show that there was a larger number of Bozals kept back than the 30 or 40 which the Governor said he had given away; and to prove this fact he makes use of all the means which his good zeal suggests, means which keep in a state of alarm the whole rich jurisdiction; for many of the wealthy planters expect from one moment to another to find themselves involved in difficult questions as to title of ownership, for it is well known that out of 1,000 negroes on any plantation, 900 have been purchased in contraband, it being impossible to prove the legality of the purchase otherwise than with this saying, "I bought them on the coast." Necessarily it all ended in the Oidor Fiscal's ordering the imprisonment of the Government officers Aguirre, Prats, and Toral, and their incarceration in the fort La Cabaña. Worthy recompense for the loyal conduct of those who with numberless sacrifices, and at the risk of their lives, had delivered to the Government about

1,000,000 dollars, represented by 1,009 Bozal negroes, despising fabulous sums freely offered to each of them by the slave-traders; this blow being, in a moral sense, of incalculable worth and importance, taking into consideration that thereby they have afforded a very high proof of the good faith with which Spain always fulfils her Treaties.

On witnessing such extraordinary proceedings, the Lieutenant-Governor of Colon, who had been some time at Havana, left for New York, and twenty-four hours after his departure the order for his arrest reached the Captain-General's office, in consequence of which the Captain-General gave the police orders to arrest him, but it was discovered that the Lieutenant-Governor was already gone, leaving behind him a communication for his Excellency the Captain-General, the contents of which are unknown, and another for the Magistrate, the faithful copy of which is as follows:—

“To the Judge commissioned by the Royal Audiencia.

“Havana, 11th March, 1864.

“Without any desire on my part to inculcate you in any way, nor still less to doubt your honesty, I should fail in my duties as one in authority and as a gentleman, were I any longer to witness impassively the very sad and painful spectacle offered by the proceedings intrusted to your Honour with reference to the captured expedition ‘Aguica,’ by which some faithful servants of the State are suffering, while the slave-traders and their accomplices are at large! The men who have sold themselves boast of the most incomprehensible impunity, and the faithful servants of the State are suffering under the weight of erroneous prosecution, the remembrance of whose loyalty, known as it is to me, causes the heart to beat with violence, of him who deplores such great evils, offspring of the abuses which have unfortunately taken such deep root in this island.

“The power of the slave-traders has been and is such, that it is quite impossible to carry out the law against the immoral Traffic of human flesh, without exposing oneself, as I and my subordinates have done, and as is now the case, to be subjected to prosecution and evil-intentioned accusations prepared and carried out by these same slave-traders. Your Honour has interrogated more than thirty witnesses who have been previously tutored by Don Julian Zulueta and Don José Vergara, owners of the expedition which I captured, and which was purchased by the said Zulueta in Africa through his captains, Musquita and Cortina, and shipped on board the steamer ‘Ciceron,’ purchased for the said Zulueta in Liverpool by his agent Ysasi. The said Zulueta and Vergara, on the 9th of October last, feigning that they had already bribed the Captain-General, offered me 3,000 doubloons for each of the three expeditions which they had on the way. My answer to them was in the affirmative, and I apprised the first authority of this island of the whole occurrence. I agreed with his Excellency the Captain-General, and set the prisoners at liberty after they had been detained in my house for three days. These prisoners were, Don José Vergara, Administrator-General of Don Julian Zulueta, both of very bad antecedents in this island. The first as an immoral man, and the second as a tenacious slave-trader; a certain Goiry, a relative of the said Zulueta; Don José Carreras, partner of the Marquis of Marianao, and the Brigadier Muñoz; and finally, the Captain (Portuguese) Musquita, who freely confessed to myself that it was he who had landed several expeditions in this island for account of Don Julian Zulueta. In setting at liberty the aforesaid prisoners, justly, legally, and formally arrested, my subordinates and I despised 300,000 dollars, which they offered us for their liberty and the delivery to them of the half of the Bozals. I delivered both, the one and the other, to his Excellency the Captain-General. If his Excellency set the former at liberty, let his Excellency furnish the reasons why he did so, and let an end be put to the sad spectacle of the sufferings of my subordinates on that account. I guess your answer, Mr. Judge, and I anticipate that your Honour will assure me that the theft of Bozals becomes now the principal cause. False accusation! Iniquitous accusation! Accusation prompted by the vengeance of those miserable slave-traders who know, who respect nothing else but the law of their gold and of their covetousness. I deny it, Mr. Judge. I shall deny it before all Europe, because I know that the law will do me justice, and because I know that already public opinion has been doing so for some time past. Reposing in the tranquility of my conscience, I exhort my poor, good, and loyal subordinates to remain quiet and satisfied. I am certainly not he who ought to have made such a declaration. I deplore the silence of another more elevated authority, and I respect it. I repeat that there was no embezzlement, and your Honour will easily understand that the servants of the State who spurned 300,000 dollars, guaranteed by the promissory note of his Excellency the Marquis of Marianao, would not have dishonoured themselves for the sake of two or three dozen of Bozals. But your Honour, no doubt, will tell me that there appear to be negroes not delivered up belonging to the same expedition captured by me, and this is a fact, but never

such facts as to prove the embezzlement of Bozals. Authorized by his Excellency the Captain-General, after having remarked to him how little the Government ever thought of recompensing the disinterestedness and loyalty of those who, living upon a miserable salary, spurned the gold of the immoral negro trader. I have given five negroes to each of those who, in my judgment deserved such a reward; and the evident proof that the Government would have left unrewarded the loyalty of my subordinates is, that four months have elapsed since the aforesaid capture took place, and the Government has not even deigned to provide for the payment of the rations which have been consumed in two days. If by this act, which was consented to by his Excellency the Captain-General, I may have reduced 30 or 40 Bozals to the condition of slaves, I have also put the seal of liberty upon 1,009 whom I had the kindness to surrender to his Excellency the Captain-General, showing at the same time that the Government of Her Majesty takes care to recompense her loyal subjects. Whether his Excellency the Captain-General could or could not authorize me to act as I did, this is a question which belongs to the Government of Her Majesty alone to decide, but never what is now being done, for it would be equivalent to call his Excellency to account for his administration before he gives up his command. The power of the first authority of this island has no limits, notwithstanding that the good nature of him who at present holds that office has permitted the Royal Audiencia to interfere in matters which exclusively appertain to his jurisdiction, and he has certainly done it contrary to what is prescribed to him by the laws against the Slave Trade, in Article III of the Law of the 22nd of October, 1855, which grant to the Executive the exclusive jurisdiction over Bozals, the *corpus delictus* and the disposal of them, whilst it designates to the Judiciary the precise and indispensable obligation to find out and to punish the guilty parties. But what am I occupying myself with? What has become of the slave-traders, their agents and accomplices? It appears that there are none. We only see implacable accusers and persecutors of those who have carried the law into execution. I cannot, Mr. Judge, as one of the authorities, make declarations of any kind. In such character, I ought only to attest, certify, write communications on such and such facts, and so I do it, although your Honour appears to have repented of your summons to declare, inasmuch as after consenting thereto, you did not deem it convenient to carry it into effect. Let this important communication, therefore, form part of the proceedings in the cause, and let it serve to do justice to these victims of wickedness, as its publication will also serve to enlighten public opinion, reaching, perhaps, at the same time the Throne of our Queen.

"May God preserve, &c.

"JOSE AGUSTIN ARGUELLES."

From the study of the facts, it results that the writing of the Lieutenant-Governor leaves no doubt as to the loyal behaviour of the captors, and that upon him rests the responsibility of what was done.

Notwithstanding this, the captors are imprisoned in a dirty, damp, and stinking dungeon, and when this is seen, and the veriest "miope" marvels at it, it is said that we are under the protection of the laws!

It suffices, Madam, to know that the slave-traders have publicly sworn vengeance against the captors. It suffices to know that publicly they have said and say every day, that the millionaire Don Julian Zulueta, will buy three Judges for 300,000 dollars, and that he will have the pleasure of seeing all the captors in the chain gang, the capture of the expedition being declared illegal.

It is impossible that this can be so, because the Government of your Majesty cannot wish to prove the truth of that saying of a philosopher; "*Eam civitatem interire necesse est cujus perfecti probos ab improbis discernere neciunt.*"

Such barbarous ideas, such iniquitous thoughts only occur, Madam, to those monsters thirsting after human flesh, who are accustomed to throw overboard their cargoes of living negroes to lighten their vessel when pursued, to let hundreds of poor human beings die of starvation and thirst on some cay, when their disembarkation into the Island is prevented; to abandon the unfortunate sick on the sea shore as food for the voracious crocodiles and alligators; they, the slave-traders, sleeping lulled by the groans of the poor wretches who are torn to pieces and devoured by the wild beasts. Thus considered, and only thus, can their vengeance be feared, because men with such hearts, are capable of avenging themselves upon indefensive prisoners and of doing all the wickedness that can be invented by the genius of evil; all this being considered by them as the natural means of becoming rich.

Following, Madam, the many inexplicable circumstances of this case, facts present themselves which cannot pass unnoticed, because the most trifling thing in such cases must be appreciated.

Governor Arguelles went to the United States with a passport from his Excellency. The order for his arrest came and it turned out that he had sailed twenty-four hours previously.

It seems inexplicable that a passport was granted to a Chief who had to give his evidence in the case as the principal actor in it, it being likewise most remarkably strange that when the Judge was in Havana, and officially asked for his declaration, although this was conceded by his Excellency, not to be taken where the Auditor asked for it, but at the Captain-General's office, this interesting declaration was not taken, and the Judge went to Colon to get the declarations of the subordinates, omitting the principal one, that which ought to have been the key-stone of the case, because it was that of the chief officer responsible for every thing, and from which responsibility he could not screen himself, not even with the omission or failing of his inferiors, inasmuch as they were under the immediate responsibility of his command. Nevertheless this was not done, and the consequence thereof is the great blank which is in the case, arising from the absence of the Chief's declaration, and from the subsequent incidents to which his being at liberty in the North gives rise.

Not to interrupt the order of so much mystery, still another one is, that the Captain-General ordered the payment to the Lieutenant-Governor of the prize-money, at the rate of 25 dollars for each Bozal captured. With which considerable sum he went to the United States. Does it not appear extraordinary that his Excellency should have ordered the prize-money to be paid, when the case is still being argued as to the validity or illegality of the capture? This generosity of his Excellency is still more striking, considering the poverty of the Public Treasury, on account of the war in Santo Domingo.

Your exponent, Madam, leaves to the wisdom of your Royal Majesty, the explanation of these facts, which to him are more than mysteries, the explanation of which his unalloyed respect for his superiors forbids him to give; moreover, the difficult position he is in is sufficient to make him tremble.

Seeing then that whilst he, exponent, lent himself to the false declarations that suited his Excellency, he was favoured by the protection of the Captain-General so far as to receive the appointment as Captain of the first class, and the Lieutenant-Governor was ordered to make out a list of recommendations for crosses, as was done, to reward the captors, and that now all that protection has turned into rigour, imprisonment, the taking away from him the captaincy which was given him, the leaving him without salary, and the condemning him and his innocent children to misery with all its horrors. Such a sudden change indicates too well that a radical revolution has taken place in everything. And what can one say when it is publicly known, said, and seen, that his Excellency is to-day the friend of Don Julian Zulueta, the millionaire, when a few months ago this gentleman returned from Madrid, his Excellency slighted him on occasions because he believed him to be his enemy in the famous Navascuez affair? And this, Madam, adds further the truth in its place; your exponent has not invented it. M. José Vergara, Administrator-General of M. Julian Zulueta, making propositions to the Lieutenant-Governor for a compromise, in the presence of the exponent, said to him:—"Don Augustin, how dare you make war against a man who has the General in his power through the letter which Don Julian has offered him, by which he can prove that Navascuez received the payment of the expedition?" "I know it," answered the Governor, "but I am not a man to be intimidated." It is said in high circles that these are the reasons of the change.

The logic of the facts explains everything. Exponent would tell more, a great deal more, were he not afraid of the vengeance to which he will be subjected even on account of this exposition; but from this time forth he despises his detractors if any there be, for now he considers himself under the ægis and regal protection of his Queen, from whom he expects justice—justice, and nothing else.

They now try to intimidate him, sending him word that the judge had said that either he will resign or will see exponent with a chain to his leg. Such idle tales deserve but contempt, Madam, and are so unworthy of a magistrate that they cannot be believed to come from him. Don Ramon Navarro is too worthy a person, Madam, to stain by such rancour the last pages of his glorious career, if the law and his conscience do not prompt him thereto. This is your exponent's belief, Madam, because he knows that gold is not the only measure of man's worth. In order to show once more how a millionaire in Cuba can exercise his great influence, it suffices to say that the accusations against the three prisoners in this case are as follows:—

- 1st. Of complicity in the evasion of the introducers of Bozal negroes.
- 2nd. Of false testimony to that intent.
- 3rd. Of complicity in the crime of abduction of negroes.

It is at once evident that the first charge is refuted by the mere statement of the

Lieutenant-Governor, because, supposing even his statement to be false, which is not granting a little, knowing him to be so worthy of the illustrious name he bears, the responsibility of the deception must fall upon him.

The second charge is also refuted for the same reason as the first, because Her Majesty, by Royal Ordinances, has decreed that officers shall blindly obey the orders of their superiors, whether such orders be in writing or verbal, and as in the present case the order is extant in the proceedings, it follows that the subordinates have complied with their duty in obeying, and even more. His declarations present many instances referring to what his Chief has said, proving that they were not free agents; and exponent went so far as to say that the truth was not recognizable in the proceeding, and if it was not established he would tell it at the proper time. Was it not saying enough for the Fiscal to ask him what was the cause of his silence? This is set forth in the written declaration. The exponent would have understood thereby that it was not intended to conceal the truth.

The third charge is the famous invention, the revengeful weapon of the malevolent slave-traders; but fortunately, Madam, because God, in his high designs, has denied the millionaire that intelligence with which he has endowed the poor, it also happens that his stupid calumny crumbles into dust.

The abducted negroes, says the Governor, is the object they had in view; and even supposing that a greater number had been abducted than that which is stated in the accusation, and has been acknowledged by the Governor, upon whom should the responsibility fall? According to what they would make it appear, it would fall upon the Chief and his subalterns, thereby establishing a precedent which, from the very moment, could it exist, would suffice to break the links of respect due by the inferior to his superior, and to destroy the basis upon which rest armies, society, and nations; for if the subaltern shared the responsibility of the acts of his Chief, it would also be necessary to grant him the right of reasoning. It is to be believed that our "Obster Richter" did not consider it under this light.

Let us suppose that the accusation of the slave-traders against the official captor for abduction of negroes is sufficient. At the start, it must be agreed, that the law is ridiculed, because they have sought a subterfuge in the law itself, which could annul it; for with such a precedent there would be no Government officer who would not prefer the gold of the slave-traders to imprisonment in a dungeon like a great criminal. Their triumph would be complete. In this way the good faith in the observance of the Treaties between two friendly nations would be nothing more than a trick of the slave-traders.

Conceding everything; taking negroes of another expedition and presenting them as a part of that now referred to; can the abduction be proved even then? Where were they abducted? Who took them away? Who brought them? Who purchased them? Where are the proofs of the sale? What, being an illegal transaction, was it done with open doors and before witnesses? How? Would the word of two or three owners of plantations, who have been, if they are not, with few honourable exceptions, slave-traders twelve times a-year, be sufficient; or even the word of the many thousands who, directly and indirectly, gain their livelihood from the expeditions paid for by the audacious, indefatigable, and pertinacious slave-trader, Don Julian Zulueta?

These reasons are known by the most near-sighted; but they do not suffice to attenuate the position of these prisoners, for it is necessary that the world should see what a millionaire in Cuba can do, and that this man in the presence of the law should give a lesson which will be of avail to those who may attempt to capture another expedition.

In the course of the proceedings the exponent has proven that, not on account of being himself accused has he ceased to act as becomes a gentleman to the last, and that his line of conduct has not been altered by the rigour of his imprisonment and the energetic measures adopted against him. He has therefore to fulfil his part until the end; for such is the confidence and profound conviction he holds of the absolute necessity there is for upholding harmless and unimpaired the principle of authority in Cuba, that only in an extreme case would he furnish positive and irrefutable proofs that the crime of abduction of which he and his companions are accused, may have been committed, if ever it took place, by others, when greater crimes than abduction of negroes have been permitted. But such revelations, Madam, cannot be made in Cuba, where the power of the slave-traders is so great, with their vast masonry which holds as a cardinal principle, "that the end sanctifies the means."

The exponent, Madam, considers that a public servant of the nation has in his favour his loyal and lengthy career by which he has obtained the steps to which his merits and services have entitled him; that is to say, that each step is a proof of his virtue and of his loyal conduct; and when for this he aspires to respectable offices, it would be most reasonable to suppose that he should find in it a shield to ward off the shots of Machiavelism

and of imposture. Vain illusion ! and to feel its bitter truth it suffices to look upon these uniforms, on which shine crosses of honour, placed in a dungeon, because a millionaire slave-trader in Cuba, by a single word, caused to be lost the brilliancy, the merits, and the antecedents for which these soldiers were recompensed by their own and other countries ; soldiers upon whose breasts shine the crosses of the Danebrog, Carlos III, Isabel la Católica, San Hermenegildo, and many others, gained upon the fields of battle.

The Official Agent, who deserves the confidence of his Government for his antecedents and services, should have to answer the charges brought against him, but he will never answer those of the guilty negro-traders, nevertheless. In order that this case shall not be wanting in anything, they have proceeded in such a manner that the accused have turned accusers ; and also, that nothing should be wanting in the case, upon it weighs the accumulation of the most remarkable circumstances, which are to be seen at the foot of the exponent's declaration dictated by himself.

In view of all that has been stated, and from what can be logically deduced from the facts ; considering the complications of the case, and that the millions of a man ("a power") are at work in it ; and furthermore, that the high influence, as proven, of his Excellency the Captain-General is enlisted against us, and all the circumstances being appreciated in conjunction with the facts, your Majesty is humbly prayed to order—

First. That even although this case may be sentenced in this Royal Audiencia, that sentence shall not be carried out until it is revised and approved by the Supreme Tribunal of Justice, before whose rectitude, great wisdom, and notorious probity the facts will be duly weighed, free from all the passions and prejudices which are given to the human heart by the impression of personal consideration and interest.

Secondly. That they shall preserve their situation and employment with their salary, to which they are entitled as being under trial, without losing them, before the sentence of the law does not order it, which has not been done.

This is all what the three prisoners hope to obtain from the magnanimous heart of your Majesty, in obtaining which they will receive justice and favour from the maternal heart of their adored Queen, whose life may God preserve for many years.

(Signed) MARIANO AGUIRRE DE VENERO.

Fort La Cabana, Havana, April 30, 1864.

No. 257.

Consul-General Crawford to Earl Russell.—(Received June 9.)

My Lord,

Havana, May 12, 1864.

It is positively stated here that the "*Ciceron*" slave-steamer has again succeeded in landing 1,600 Bozal negroes in this island. A cargo of, it is said, 625 has been landed between Cabanas and Bahia Honda, about the 19th ultimo, where the vessel, a Spanish brig, called the "*Maria Isabel*," was sunk after the landing was effected. It is rumoured that two more cargoes of slaves have been landed last month, one on the north, the other on the south, the two amounting to upwards of 1,200.

Respecting these, the Captain-General assures me that he has no information, and that all knowledge of these landings is denied by the local authorities with whom he has communicated.

His Excellency, however, has informed me of the capture, by Her Catholic Majesty's steamer "*Guadalquivir*," of 474 Bozals which have been sent here from Batabanó by the railroad.

It appears that these Bozals were found on the 4th instant, on what is known as Jamaica Cay, the easternmost of the Doce Leguas group, where the vessel in which they were brought was set fire to after landing them at that place. The number shipped at the coast on board of this slaver was 700, but having been on the vessel about eighty days, only 474 were alive when they were discovered on the cay by the "*Guadalquivir*'s" officers, and I understand that these survivors are in a very sickly, emaciated condition.

Besider these cargoes which are thus accounted for, I learn that several others are about to arrive, the high price of sugar operating as an impulse to increase the infamous Traffic.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 258.

Consul-General Crawford to Earl Russell.—(Received June 28.)

(Extract.)

Havana, May 27, 1864.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch dated the 21st ultimo, and its inclosures, acquainting me that the Spanish steamer "*Cicéron*," the same which landed a cargo of slaves on the coast of this island in November last, had sailed again on another slave-trading expedition on the 11th ultimo, and inclosing, for my information, the deposition of Antonio Ferrugia, a Maltese, who served as a stoker on board the "*Cicéron*" on her last voyage.

The "*Cicéron*" having been detained until the date mentioned at Marseilles, it could not have been from her that 1,600 Bozals landed on the 28th March, as I was informed, and reported to your Lordship in my despatch of the 12th instant.

No. 259.

Consul-General Crawford to Earl Russell.—(Received June 28.)

My Lord,

Havana, June 6, 1864.

WITH reference to my despatch dated the 26th March, in which I noticed to your Lordship the departure of Lieutenant-Colonel Arguelles, the captor of the Colon expedition of slaves, for the United States, and that he was accused of having sold upwards of 100 of the negroes so captured by him into slavery, I have now the honour of stating to your Lordship that the said Arguelles was brought back to this port on board the American mail-steamer "*Eagle*," in custody of two officers belonging to the United States' Provost Marshal of New York, by whom their prisoner was delivered to the Captain-General, who ordered him to the Moro, where he was placed in close confinement.

It is curious that the person, Don Antonio Aguirre Venero, who, at the time Arguelles was Lieutenant-Governor of Colon, acted as his Secretary, and others, who were prisoners accused of complicity in the sale of these negroes with Arguelles, escaped from the Castle of Cabanas two nights previous to Arguelles being brought from New York.

There is no Extradition Treaty between Spain and the United States, and it is not known here how Arguelles was taken at New York, and sent here at this Captain-General's request.

General Dulce, however, informs me that he wrote to Mr. Seward through the Spanish Consul, representing that Arguelles had criminally sold some 200 human beings into slavery whose rescue depended upon his being given up, and that, upon that, he was at once arrested and sent back without any intervention of M. Tassara, the Spanish Minister at Washington. And I understand that, no time having been lost in the prosecution of the ex-Lieutenant-Governor of Colon, he is already sentenced to the galleys, and is in chains in a dungeon under the battery at the Moro, where, if his imprisonment is continued, his will probably not be a very prolonged existence.

Nearly all the negroes sold by Arguelles* have been recovered from the purchasers, but none of them, so far as I have been able to learn, have been subjected to punishment, although they must all have known the nature of the transaction, one of them, a notorious slaver, having bought no less than 45!†

All this time the principal cause, that of the whole expedition, is in *statu quo* before the Royal Audiencia, but the Captain-General tells me he has no doubt that the capture will be confirmed, and the negroes declared to be emancipados. He also has promised to deliver to me those I claim as entitled to British protection:

I have, &c.

(Signed) JOS. T. CRAWFORD.

* The Captain-General says there were 143 of them.

† Don Pedro Forcade was arrested and kept at the dwelling of the Intendant of Police for about two hours, when he agreed to give up the negroes, and was released. Forcade is a wealthy man.

No. 260.

Earl Russell to Consul-General Crawford.

Sir,

Foreign Office, June 30, 1864.

I TRANSMIT herewith, for your information, a copy of a despatch from Her Majesty's Minister at Madrid,* inclosing a Report of a debate which took place in the Spanish Cortes, arising out of the charges brought by Colonel Arguelles, the late Governor of Colon, against the Captain-General of Cuba, accusing General Dulce of connivance with the slave-dealers, in connection with the expedition landed at Colon.

You will see the view taken by Her Majesty's Government of this subject from the accompanying copy of my reply to Sir J. Crampton's despatch,† and I should be glad to receive any observations you may have to make which may tend to show the true state of the case as between Colonel Arguelles and General Dulce.

I am, &c.
(Signed) RUSSELL.

No. 261.

Earl Russell to Consul-General Crawford.

Sir,

Foreign Office, June 30, 1864.

WITH reference to the last paragraph of your despatch of the 6th instant, in which you state that the case of the captured slaves known as the Colon expedition is *in statu quo* before the Royal Audiencia, but that the Captain-General has informed you that he has no doubt that the capture will be confirmed, and has promised to deliver over to you the negroes you claim as entitled to British protection, I now transmit, for your information, a copy of a despatch from Her Majesty's Minister at Madrid‡ inclosing the reply of the Spanish Minister for Foreign Affairs to the note addressed to him by Sir J. Crampton, requesting that permission might be granted to you to be present at the examination of the negroes in question.

Whatever may be the decision of the Spanish Law Courts in regard to this expedition, if you are satisfied that there are among the slaves captured any negroes who are British subjects or entitled to British protection you will not fail to demand their release by the Spanish authorities.

I am, &c.
(Signed) RUSSELL.

No. 262.

Consul-General Crawford to Earl Russell.—(Received July 6.)

(Extract.)

Havana, June 16, 1864.

IT is with great regret that I find myself compelled to represent to your Lordship the bad faith which we have experienced on the part of Spain ever since the celebration of the Treaty of 1835 for suppression of the Slave Trade.

By slow degrees the great nations of Europe have completely put a stop to the African Slave Trade; Brazil has also done so, where it was supposed to have been most deeply rooted, and the most civilized Governments of the world have abolished the institutions of slavery which existed in their dominions.

The capital which they had in slaves, those countries have since invested in legitimate commerce, and under the free-trade principles and reciprocity promulgated in the British Parliament, to which they have become converts, they have found ample returns.

Against those principles of humanity and free trade, Spain alone holds out. She persists in carrying on the Slave Trade in defiance of her solemn engagements under the existing Treaty; since, if the traffic is not openly and avowedly protected, it is not opposed, and there is but too well-founded cause of belief that it is connived at, and that many of those in power, whose duty it was to have put a stop to it, have enriched themselves by becoming parties to the evasions practiced by the slave-traders, benefiting thereby.

Resisting all reciprocity in her commercial relations, Spain, notwithstanding the indiscriminate favour Her Majesty's Government has shown hitherto, by abstaining from

* No. 192.

† No. 195.

‡ No. 194.

the use of the retaliatory measures which it is optional to adopt towards those nations who do not enter into our views of reciprocal commerce, has, very recently, published the regulations protective of their flag, as to tonnage and port dues here, a copy of which I have the honour of transmitting herewith to your Lordship.

Their enormously high rates of discriminating duties of importation are continued to our great detriment. British manufactures imported here from England by British ships are subject to $27\frac{1}{2}$ per cent. The same effects brought here by Spanish vessels pay $19\frac{1}{2}$ per cent. only.

I need not remind your Lordship how very limited a portion of British manufactures are admitted at all to consumption in the mother country.

And there is also here a protective rate of export duty, which by Spanish vessels is as 25 to $37\frac{1}{2}$ cents on British, for sugar per box. On other articles it is as 4 to $7\frac{1}{2}$ and on leaf tobacco it is 1 dollar 50 cents per quintal (100 lbs.) by British ships and 75 cents only by those of Spain to foreign ports.

Now, the Spanish Government is thoroughly aware that, in the ports of the United Kingdom and in those of the British Colonies, Spanish vessels bringing sugars and other produce of Spain and of her Colonies are admitted, as well as their cargoes, on the same terms and at the same rates of duty as our own ships bringing our own colonial or other produce.

Her Majesty's Government instructed me (now some years ago) to represent to the Captain-General of Cuba the favour which at that time had been shown to Spain; and I was furnished with a Table of the great and important reductions which had been made in the duties upon the productions of that country and her Colonies, but no measure of reciprocity was produced by that negotiation. I was told that all reforms must originate in the mother-country, and could not, unless coming therefrom, be entertained in the Colonies. Since that time the differential duties on sugar have been done away with in England, so that the slave-grown produce of Cuba and Puerto Rico have come into competition with the sugars of our own Colonies and Possessions, where slavery has been abolished or never existed.

Still those concessions and advantages have met with no approaches to reciprocity on the part of Spain, but have produced an extent of cultivation here proportionate to the increased demand for their produce, and a consequent impulse to the Slave Trade which that Government is bound by Treaty to put an end to.

The recently-adopted reduction in the duties upon sugar and manufactured tobacco will very materially add to the consumption of those two articles of this island's production; and calculating thereon, the slave-traders are understood to have made their arrangements for very extensive operations in future.

It is in vain to hope that Spain will alter her policy in commerce, or be induced to fulfil her obligations under the Treaty for abolition of the Slave Trade.

The Slave Trade continues to be carried on. There are more slaves in Cuba than there were in 1835 (probably two to one that there were then); and this is not the result of reproduction, but of violations of the Treaty, connived at by the authorities and protected by the Penal Law which Spain became bound to pass for the punishment of the violators, but which is so worded as to have quite a contrary effect, besides being altogether inefficient to correct the offences or to check the continuance of the Traffic, as it is now being carried on by some of the wealthiest of the Spanish proprietors, residents of this island.

I consider, my Lord, that Great Britain, having for so very long a period observed towards Spain and her Colonies a consideration and forbearance unequalled—having allowed to them all the benefits of our Free Trade principles, which they have in no way reciprocated; and not having, as other nations have done, by the means at her disposal, during the long period of twenty-nine years which have elapsed since the celebration of the Treaty, put an end to the Slave Trade, which she could easily have done had she been so disposed,—I would respectfully submit to your Lordship that Her Majesty's Government is entitled to require that certain things should be done by Spain.

I would require the re-enactment of the Penal Law, with such alterations of unevadable severity as will operate to deter all persons from engaging in or being concerned in the Traffic, which, in the first place, should be declared to be piracy, and that all persons found on board of any vessels carrying slaves shall suffer capital punishment.

2ndly. That all Bozal negroes recently landed, wherever found, shall be liable to capture, and shall be forfeited to the Government; that the captors of Bozals, whether on board ship or on shore, shall receive head-money for each adult, 25 dollars, and in proportion for those under age, half that amount; and that persons giving information which leads to the capture of Bozals shall receive 10 dollars for each adult captured, and half that sum for those under age.

3rdly. That all such head and information money shall be paid by the Government of the island, and all such captured Bozals shall be sent back to the place they came from at the coast of Africa by the Spanish Government, or be entitled to their free papers after an apprenticeship of five years from date of capture.

4thly. That all persons found in charge of, in possession of, or claiming such Bozals or recently imported negroes, shall be subjected to ten years of the galleys or "presidio," and confiscation of the property whereon such Bozals were found, if such property has been used to conceal such recently imported negroes.

5thly. That all brokers or others who shall be found buying or selling Bozals or newly imported negroes shall be subject to five years' hard labour in the chain gang or "presidio," and the forfeiture of all such negroes.

6thly. Whereas great abuses have been and still continue to be practised as regards the class known as emancipados, all such as have now completed five years' service or probation from the date of their first assignment after their having been captured, shall be entitled to and shall receive their free papers. That all the children of emancipados are declared to be free, and that in future the period of assignment, as emancipados, is limited to five years, at the end of which probation all such emancipados shall receive their free papers; and

Finally. That any other act, matter or thing connected with slave-trading or the conniving with others therein shall be punishable with hard labour in the chain gangs or "presidio," for periods not less than one nor exceeding three years.

As a matter of course, owing to the way slave-trading has been and is now carried on, if the titles to the slaves in Cuba were examined, probably not half of them are valid, and it is that consideration which makes the Spaniards so fearful of any alteration of the 9th Article of the Penal Law as it now is.

But it is indispensably necessary that that law be re-enacted, and with quite as much severity as I have now proposed, so as that it may be known at once and for ever that the Slave Trade is to be put an end to.

Inclosure in No. 262.

Revised Tonnage Dues.—(*Published in the "Havana Gazette" of June 9, 1864.*)

THE following is a (free) translation of the Order issued by our Intendant-General, under date of the 2nd instant:—

His Excellency the Intendant-General of the Treasury, by virtue of Royal authorization, dated 21st of December last, has been pleased to resolve that, from the 1st of July next, the different tonnage dues at present in force on all vessels arriving at this island shall be substituted by one sole duty, as follows:—

	Foreign.	National.
1. All vessels entering with cargo and clearing with cargo, shall pay per ton measurement	\$ c. 2 35 ..	\$ c. 1 35
2. All vessels entering with cargo and leaving in ballast	2 30 ..	1 30
3. All vessels arriving in ballast and clearing loaded	2 0 ..	1 0
4. All vessels with coals, to the extent of, or exceeding the number of their register tons, even when loaded with other cargo	0 50 ..	0 0
All vessels with coal only, but less than their register tonnage, shall pay on the quantity of coals they carry	0 50 ..	0 0
And for every ton unoccupied	1 50 ..	0 62
All vessels with less coal than their register tonnage, and moreover other goods, whatever the extent thereof, shall pay on the number of tons of coals	1 35 ..	0 73
And on the rest of the cargo	2 35 ..	1 35
5. All vessels entering in ballast and clearing loaded with a full cargo of molasses	0 50 ..	0 37
6. All vessels arriving in ballast and only loading produce of the country, per ton of cargo	2 0 ..	1 0
And for every ton unoccupied	0 5 ..	0 5
7. All vessels coming and leaving in ballast	0 5 ..	0 5
8. All vessels arriving in transit, or in distress	0 5 ..	0 5
9. All steamers engaged in the regular trade with this Island, of whatever flag or place of departure, shall be exempt from all dues, provided they neither bring nor take away more than 6 tons of cargo; and, when carrying a mail, they are to have all preference in clearance.		
10. All steamers under the foregoing circumstances, but bringing or taking away cargo exceeding the prescribed 6 tons, shall pay	1 60 ..	0 62½
11. The Spanish mail-steamers shall pay tonnage in accordance with their special contracts with the Government.		
12. All steamers not coming within Schedules 9, 10, and 11, shall pay tonnage according to flag and place of departure, deducting the number of tons occupied by the engine and coal-bunkers from the total tonnage.		

No. 263.

Mr. Layard to Consul-General Crawford.

Sir,

Foreign Office, August 21, 1864.

WITH reference to former correspondence relative to the Spanish Slave steamer "*Cicéron*," I am directed by Earl Russell to transmit to you the accompanying copies of despatches as marked in the margin,* from Her Majesty's Consuls at Bilbao and Puerto Rico, containing further information respecting the movements of this vessel.

I am to add that, according to the reports received by Her Majesty's Government from the African coast, the "*Cicéron*," in an attempt which she made to ship a cargo of slaves on the 7th of May last, narrowly escaped capture by Her Majesty's cruisers, when she was chased off the coast, and did not again return.

I am, &c.

(Signed) A. H. LAYARD.

No. 264.

Earl Russell to Consul-General Crawford.

Sir,

Foreign Office, August 21, 1864.

WITH reference to your despatch of the 2nd of April last, I transmit for your information the accompanying copy of a despatch from Her Majesty's Minister at Madrid,† inclosing the reply of the Spanish Government to a note which I instructed Sir J. Crampton to address to Señor Pacheco, requesting that the authorities in Cuba might be instructed to furnish you with information in regard to the slave-trading vessels which might from time to time be captured by them; and also, if possible, with the names of the localities on the African coast from whence the slaves were shipped.

I am, &c.

(Signed) RUSSELL.

No. 265.

Earl Russell to Consul-General Crawford.

Sir,

Foreign Office, August 21, 1864.

I TRANSMIT, for your information, the accompanying copies of a despatch and its inclosure from Her Majesty's Minister at Madrid,‡ by which you will perceive that the Spanish Government assert that the information in their possession is not sufficient to justify their adopting proceedings against the Spanish steam-vessel "*Cicéron*" and her owners for being engaged in the Slave Trade.

I am, &c.

(Signed) RUSSELL.

No. 266.

Acting Consul-General Crawford to Earl Russell.—(Received August 29.)

(Extract.)

Havana, August 5, 1864.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch of the 30th June last, addressed to the late Consul-General, transmitting a copy of a despatch from Her Majesty's Minister at Madrid, inclosing a Report of a debate which took place in the Spanish Cortes, arising out of the charges brought by Colonel Argüelles, the late Governor of Colon, against the Captain-General of Cuba, accusing General Dulce of connivance with the slave-dealers in connection with the expedition landed at Colon.

I have carefully noticed from the copy of your Lordship's reply to Sir John Crampton the view taken by Her Majesty's Government of this subject—a view in which I trust your Lordship will not think me too presumptuous in stating that I entirely concur.

* Nos. 235 and 278.

† No. 210.

‡ No. 211.

Arguelles, I understand, has chosen a very able lawyer to defend him, and it is probable that some very disagreeable truths will be elicited during the proceedings, and I shall duly report to your Lordship anything which I may learn, and which may tend to show the true state of the case as between Colonel Arguelles and the Captain-General.

My Lord, we shall probably never know the extent of iniquity which has been practised from the highest to the lowest of the Cuban officials in this case of the Colon Expedition. Even now the Royal Audiencia has not pronounced sentence in the case, and I strongly suspect that an attempt will be made to delay the proceedings until after General Dulce's departure, and that, under the pretext that the negroes were seized whilst in transit from one plantation to another, they will be restored to M. Zulueta, and reduced to slavery.

No. 267.

Acting Consul-General Crawford to Earl Russell.—(Received August 29.)

(Extract.)

Havana, August 5, 1864.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch of the 30th of June last, addressed to the late Consul-General, in which, with reference to the last paragraph of his despatch of this series of June 6th, stating that the case of the captured slaves known as the Colon Expedition is *in statu quo* before Royal Audiencia, but that the Captain-General had stated that he had no doubt that the capture would be confirmed, and had promised to deliver over to him the negroes he claimed as entitled to British protection. Your Lordship transmits a copy of a despatch from Her Majesty's Minister at Madrid, inclosing the reply of the Spanish Minister for Foreign Affairs to the note addressed to him by Sir John Crampton, requesting that permission might be granted to the Consul to be present at the examination of the negroes in question.

Your Lordship further instructs the late Consul-General that whatever may be the decision of the Spanish Law Courts in regard to this expedition, if he is satisfied that there are among the slaves captured any negroes who are British subjects, or entitled to British protection, their release is to be demanded from the Spanish authorities.

I shall seek an interview with the Captain-General, so as to ascertain the position of matters in regard to the Colon Expedition, and I shall not fail to report the result to your Lordship.

No. 268.

Acting Consul-General Crawford to Earl Russell.—(Received August 29.)

(Extract.)

Havana, August 6, 1864.

I HAVE the honour of transmitting herewith to your Lordship copy of a correspondence which has passed between the late Consul-General and General Dulce, relative to the landing of a cargo of about 1,500 slaves at La Teja.

It appears that early in June last a landing of from 1,000 to 1,500 negroes from the coast of Africa was effected under great secrecy at the sugar plantation "Aurora," situate at La Teja, in the jurisdiction of Cardenas, and belonging to Don Nicolas Valdivielso.

The adventure is said to have been for the joint account of Don Julian Zulueta and Don Francisco Rosell of Cardenas, whose lighters and those of a man formerly connected with him in business, named Patricio Greck or Grech, effected the landing of the negroes from on board of the vessel which brought them from Africa, and which is reported to be a steamer.

The whole affair seems to have been most adroitly managed, for none of the local authorities appear to have been aware of it, and the Vice-Consul at Cardenas has found himself baffled in every attempt to obtain information concerning it.

The Captain-General denies that any such landing has taken place, either in the jurisdiction of Cardenas or in that of Sagua, resting upon the assurances which have been given him by the Lieutenant-Governors of these districts.

Inclosure 1 in No. 268.

Consul-General Crawford to the Captain-General of Cuba.

Sir,

Havana, June 10, 1864.

I HAVE this moment (3 P.M.) received intelligence of yesterday's date from Cardenas that a landing of negroes, said to have been brought by a steamer and to consist of 1,500 Bozals, has been effected at a place called "La Teja," by the three launches of Don Francisco Roselló and Don Patricio Greck.

Rumour indicates that the expedition belongs to said Roselló and Don Julian Zulueta, that it was effected with the greatest secrecy, the absence for three days of the launches alone having been noticed, when they returned, after having effected their object with the happiest success.

The Bozals were taken to the estate of Valdivieso at "La Teja."

God preserve, &c.

(Signed)

JOS. T. CRAWFORD.

Inclosure 2 in No. 268.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.)

Havana, June 11, 1864.

HIS Excellency the Superior Civil Governor, as soon as he received yesterday your letter relative to the introduction of Bozals at the place called "La Ceja," communicated officially by telegraph with the Lieutenant-Governors of Cardenas and of Sagua.

The answer which they have given is that that supposed act is false and without any foundation, assuring that the coast at all points of danger is thoroughly watched, and in this all the reports from the coast are alike concurrent.

God preserve, &c.

(Signed)

JOSE VALLS Y PUIG.

Inclosure 3 in No. 268.

*Consul-General Crawford to the Secretary to the Captain-General of Cuba.**Havana, June 11, 1864.*

I HAVE just received the attentive communication which by his Excellency the Captain-General's order you have addressed to me, in answer to mine of yesterday, qualifying as false and unfounded the intelligence I have as to the introduction of 1,500 Bozals a few days ago into this island at the Punto de Teja (not La Ceja as expressed in your note now before me).

The information which I have, written and verbal, is but too exact, and therefore I do not accept the negative which the Lieutenant-Governors of the coast have thought proper to give thereto, but it goes to prove the ignorance in which that of Cardenas was as to what was taking place in his jurisdiction.

The introduction was effected at the place and in the manner stated in my previous communication, and you can so assure his Excellency.

God preserve, &c.

(Signed)

JOS. T. CRAWFORD.

Inclosure 4 in No. 268.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.)

Havana, June 12, 1864.

HIS Excellency the Captain-General, in view of what your Excellency states to me in your letter of yesterday's, with reference to that which I addressed to you by his Excellency's order of same date, ordered it to be transmitted to the Lieutenant-Governor of Cardenas, who answered his Excellency as follows—

"Most Excellent Sir,—I can assure your Excellency that I am perfectly aware of everything that happens in the jurisdiction under my command, and that I can therefore state that all that has been reported to your Excellency with regard to a landing of Bozals near La Teja is entirely false.

"The reports which have been made to your Excellency originate without doubt from

the British Vice-Consul here, who cannot on any account know, as I do, what takes place in this jurisdiction. I beg your Excellency therefore to be perfectly easy under the understanding that, not possibly forgetting my duty, I would have reported anything which might have occurred.

“EUGENIO LONO.”

Which by his Excellency's order I have the honour to transmit to your Honour, stating to you by the same order, which I fulfil, that when your Honour has occasion to address his Excellency upon such subjects, you will be pleased to do so with irrefutable data, so as not to give rise to unjust accusations, which are therefore disagreeable to officers who, like that at Cardenas, esteem their honour.

God preserve, &c.

(Signed)

JOSE VALLS Y PUIG.

No. 269.

Acting Consul-General Crawford to Earl Russell.—(Received September 29.)

(Extract.)

Havana, August 23, 1864.

WITH reference to my preceding despatch of the 5th instant, I have now the honour of reporting to your Lordship what took place yesterday at an interview I had with the Captain-General on matters connected with the Slave Trade.

His Excellency informed me that the Royal Audiencia had not yet pronounced sentence in the case of the capture at Colon, but that on its doing so he would deliver up to me the negroes who were supposed to be entitled to British protection. Upon my expressing a doubt as to the honest intentions of the Royal Audiencia, and that I feared that their decision in the case would be deferred until after his Excellency's departure, when the capture would be declared illegal and the negroes would be given up, as was done some time ago in the matter of “Gutierrez and Casal,” his Excellency said that he would take care that such should not be the result on this occasion. The capture was effected nearly a year ago, and yet no decision has been come to. In the meantime all the negroes have been consigned as emancipados, although what authority General Dulce had to dispose of them as such, before their condition was determined by the Audiencia, does not appear to be quite clear.

His Excellency also informed me that no landing of African negroes had taken place in this island for some time past, and that the fitting-out of vessels for the Slave Trade had been completely put an end to in Cuba, the facilities for doing so being so much greater in Europe.

General Dulce then renewed his assurances of his sincere desire to put an end to the Slave Trade, complaining, as usual, of his limited powers, and of the protection afforded to the traders by the Penal Law.

No. 270.

Acting Consul-General Crawford to Earl Russell.—(Received October 29.)

My Lord,

Havana, September 25, 1864.

I HAVE the honour of acknowledging the receipt of Mr. Hammond's despatch of the 21st ultimo, transmitting copies of two despatches from Her Majesty's Consuls at Bilbao and Porto Rico, containing further information respecting the movements of the Spanish slave-steamer “Cicéron.”

If the reports received from Her Majesty's cruisers on the Coast of Africa are true, that that vessel, after having been chased off several times, did not return again, as Mr. Hammond states in the second paragraph of his despatch, the “Cicéron” must have proceeded to St. Thomas in ballast, which report is borne out by Mr. Consul Young's despatch to your Lordship; but I am inclined to believe that the “Cicéron” must have succeeded in shipping a cargo of slaves at some other place on the African coast than that where she was fallen in with by the cruisers, and that she was the steamer which I reported in my despatch of the 6th ultimo, as having landed a large number of negroes on the north coast of this island in the early part of June last.

This supposition is supported by the information furnished by Mr. Acting-Consul Cowper; besides which, it is hardly to be imagined that so swift and so well-adapted a slave-trading vessel as the “Cicéron” would so easily abandon her illegal intention,

especially as vessels employed in that infamous traffic have been known to wait for months on the African coast until they have succeeded in shipping their wretched cargoes for this market.

The Captain-General, however, denies that any such landing has been effected, and he assures me most positively that the "*Cicéron*" has not returned since last year, and were it not for the consideration that the owners of that vessel are such adepts in slave-trading, and that their cunning is such as to deceive even the superior officers of the Government, I would agree with his Excellency, the more so, as all my efforts to obtain further particulars of the reported landing at or near La Teja have proved unsuccessful.

I have, &c.

(Signed) JOHN V. CRAWFORD.

No. 271.

Acting Consul-General Crawford to Earl Russell.—(Received October 29.)

My Lord,

Havana, September 26, 1864.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch of the 21st ultimo, transmitting for my information a copy of a despatch from Her Majesty's Minister at Madrid, inclosing the reply of the Spanish Government to a note which he had addressed, by your Lordship's directions, to M. Pacheco, requesting that the authorities in Cuba might be instructed to furnish Her Majesty's Consul-General with information in regard to the slave-trading vessels, which might from time to time be captured by them, and also, if possible, with the names of the localities on the African coast from whence the slaves were shipped.

I observe that Señor Pacheco states that the authorities in Cuba had not, and would not place the slightest obstacle in the way of the Consul-General in regard to such information, provided he stated his object, and that this was found to be in accordance with existing Treaties; provided the legal proceedings taken in the cases in question were not at a stage which rendered it impossible for the Judge, or the authorities, to divulge any of the particulars without incurring a legal responsibility by so doing.

Now it occurs to me, that, as any idea of the Consul's desiring to meddle with the cognizance of such cases, or of his attempting to interfere with the administration of justice in this island, cannot be reasonably entertained for an instant, and as it is evidently his sole object to obtain the particulars alluded to for the information of Her Majesty's Government, and for no other purpose, there cannot be any feasible objection to the Captain-General's furnishing such general information as may be asked for, and which does not in any manner interfere with or affect the case which may be pending before the Courts here.

I have, &c.

(Signed) JOHN V. CRAWFORD.

No. 272.

Acting Consul-General Crawford to Earl Russell.—(Received October 29.)

My Lord,

Havana, September 27, 1864.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch of the 21st ultimo, inclosing, for my information, copies of a despatch and its inclosure from Her Majesty's Minister at Madrid, by which I perceive that the Spanish Government assert that the information in their possession is not sufficient to justify their adopting proceedings against the Spanish steam-vessel "*Cicéron*" and her owners, for being engaged in the Slave Trade.

I have, &c.

(Signed) JOHN V. CRAWFORD.

No. 273.

Acting Consul-General Crawford to Earl Russell.—(Received November 29.)

(Extract.)

Havana, October 22, 1864.

I HAVE the honour of transmitting to your Lordship a copy of a letter which I addressed to the Captain-General on the 20th instant, relative to the landing of 600 slaves

near Canasi on the 14th instant, and also with reference to the rumoured disembarkation of two other cargoes of negroes at Camarioca and at Mangles Altos, the one near Matanzas and the other near Cienfuegos.

I also informed his Excellency that a slave-vessel was momentarily expected on the South Coast between Trinidad and Cienfuegos, and that a schooner called the "*Hilaria*" was being fitted out at Matanzas for the Slave Trade.

I received his Excellency's answer yesterday, a copy and translation of which is inclosed herewith, and it is very gratifying to observe the vigorous steps which he has taken to investigate all these matters, and to prevent as far as possible any breach of the Treaty.

His Excellency states that no landing has taken place either at Camarioca or at Mangles Altos, but that a Commissioner from the Royal Audiencia is still absent on the south side of the Island, engaged in making inquiries concerning the alleged disembarkation there.

Mr. Vice-Consul Fowler of Cienfuegos informs me that the rumour of the landing at Mangles Altos has proved to be false, and that the suspicious vessel which was signalled at the Castle of Xagua at the entrance of the bay of Cienfuegos, must have gone further to the westward, but there must be very strong suspicions of a landing having been effected to require the necessity of sending a magistrate of the Supreme Court to investigate the matter. How all such commissions end, we know from experience.

The reported landing at Camarioca may possibly not have taken place, although it is evident from the removal of the Acting-Governor of Matanzas, that the Captain-General does not appear quite satisfied about it.

There can be no doubt, however, as to the Canasi affair, and the Captain-General has not only removed the Lieutenant-Governor of Jaruco, in whose jurisdiction the negroes were landed, but he has given orders to seize the negroes, a step which his Excellency informed me he has taken upon his own responsibility.

Inclosure 1 in No. 273.

Acting Consul-General Crawford to Captain-General of Cuba.

Havana, October 20, 1864.

I HAVE the honour of stating to your Excellency that I have received reliable information to the effect that a cargo of about 600 Bozal negroes was landed at or near Canasi on Friday last, the 14th instant.

I have also heard that some 200 and odd negroes were landed at Camarioca about the latter part of last month, but I have not been able to obtain any of the particulars; and it is rumoured that they belonged to the same adventure as those which have been landed at Canasi.

It has also been reported to me that a cargo of about 600 Bozals was safely introduced at Mangles Altos, or between that place and the Ensenada de Cochinos, about the middle of last month. And it is rumoured that a slave-vessel is momentarily expected to arrive on the South Coast, and that she will attempt to land her cargo between Trinidad and Cienfuegos.

I have likewise to report to your Excellency that the schooner "*Hilaria*," now at Matanzas, has been fitted out for the Slave Trade, and that she will sail in a day or two for the African coast.

I have, &c.

(Signed) JOHN V. CRAWFORD.

Inclosure 2 in No. 273.

The Captain-General of Cuba to Acting Consul-General Crawford.

(Translation.)

Havana, October 20, 1864.

I HAVE this evening received your Honour's communication informing me that, according to reports you had received, three landings of Bozals have taken place since the beginning of last month up to the 14th instant.

The first one, you say you have been informed, took place at Mangles Altos, or at the Ensenada de Cochinos, in the jurisdiction of Cienfuegos. This report may perhaps have arisen from the fact that having been informed ex-officially that a landing was

intended to be effected between Trinidad and Cienfuegos last month, I issued the most stringent orders, not only to the two Lieutenant-Governors of those districts, but also to all those of the adjoining districts.

The answers which I received agreed in refuting it, and it was proved by the gubernative inquiry which I ordered to be made that no such landing had taken place.

Nevertheless, having placed the matter in the hands of the President of the Royal Audiencia, that tribunal sent a Magistrate to institute a proper inquiry, and he is still absent in those jurisdictions, and I shall duly advise your Honour of the result.

Respecting the disembarkation which your Honour supposes took place at Camarioca, I also ordered a summary inquiry to be made, the result being that the report was untrue.

With reference to that at Canasi, I have this very day given instructions and strict orders in order to endeavour to discover the facts, and I shall also in due time advise your Honour of the result.

As regards the schooner "*Hilaria*," by the first train to-morrow a Commissioner will go to Matanzas to make a rigorous search on board, the result of which I shall report to you.

I have taken the necessary precautions in order that should any landing of negroes be attempted, they may be seized in the act.

I beg that your Honour will transmit to me any information which may aid me in proving that Her Catholic Majesty's Government desires to fulfil perfectly the Slave Trade Treaty.

God preserve, &c.

(Signed)

DOMINGO DULCE.

No. 274.

Acting Consul-General Crawford to Earl Russell.—(Received November 29.)

My Lord,

Havana, October 23, 1864.

I HAVE the honour of reporting to your Lordship that the Spanish schooner "*Hilaria*" sailed from the port of Matanzas on the evening of the 19th instant, under a pass for Sagua, but in reality bound for the coast of Africa, being fully equipped for the Slave Trade.

As stated to your Lordship in my despatch of the 22nd instant, I informed the Captain-General of the "*Hilaria's*" illegal intentions, but, unfortunately, my information came too late; for on the arrival at Matanzas of the officer who was sent to detain and search the vessel, she had sailed.

The "*Hilaria*" is a topsail schooner of about 120 tons. At the time of her departure she was painted green, with a yellow streak; her blocks were painted red. She has a gilt swan on her stern, and her figure-head is a bunch of flowers richly carved.

She belongs to a notorious slave-trader of the name of D. Fabian Garcia, a resident of Matanzas, and she has already made one or two successful voyages to the African coast. I hope that she will be fallen in with and captured by our cruisers.

I have, &c.

(Signed)

JOHN V. CRAWFORD.

No. 275.

Mr. Layard to Acting Consul-General Crawford.

Sir,

Foreign Office, December 1, 1864.

I AM directed by Earl Russell to transmit to you, for your information, the accompanying copies of letters from the commanders of Her Majesty's ships "*Griffon*," "*Dart*," and "*Snipe*," reporting the capture of slave-vessels off the African coast.*

I am, &c.

(Signed)

A. H. LAYARD.

* Class A, Nos. 131 and 136.

SPAIN. (*Consular*)—*Porto Rico*.

No. 276.

Consul Cowper to Earl Russell.—(*Received April 28.*)

My Lord,

Porto Rico, April 1, 1864.

I HAVE the honour to inform your Lordship that no attempt at Slave Trade has been made upon the coasts of this island during the whole of the past quarter.

I have, &c.

(Signed)

H. AUGUSTUS COWPER.

No. 277.

Acting Consul Cowper to Earl Russell.—(*Received July 29.*)

My Lord,

Porto Rico, July 1, 1864.

I HAVE the honour to report to your Lordship that no attempt at Slave Trade has been made upon the coast of this island during the past quarter.

I have, &c.

(Signed)

FRANCIS H. COWPER.

No. 278.

Acting Consul Cowper to Earl Russell.—(*Received August 12.*)

My Lord,

Porto Rico, July 26, 1864.

I HAVE the honour to inform your Lordship that a Spanish steamer, the "*Cicéron*," arrived at this port under the following mysterious circumstances on the 16th instant. Although she had come from the neighbouring Danish Island of St. Thomas, where she had been undergoing some considerable repairs, no one was able to ascertain from what place or country she had cleared before her arrival there; and notwithstanding a very heavy cargo of rum, rice and tobacco she was taking in at this port, it was impossible to obtain any particulars as to where she was going or intended to go. Moreover on the 22nd instant, when she had taken in nearly all of her above-mentioned cargo, advertisements appear in the journals of this city to the effect that the "*Cicéron*" would be sold by public auction on the 24th instant.

I was then informed for the first time that the steamer in question was a slaver, and had just made a most successful voyage with a large cargo of unfortunate Africans, but where they had been landed my informant was unable to find out; and that after she had landed them she proceeded to St. Thomas, and there thoroughly refitted and prepared for another criminal voyage. All being accomplished there, she had come to this port to take in the before-mentioned cargo, with which she intended to barter for the unfortunate human beings on the coast of Africa. I then made all the inquiries in my power respecting the vessel, in order that I might ascertain the truth of the above statements, but found that the greatest secrecy was observed by all parties concerned; so great was the caution taken that none of the crew were allowed to come on shore during her stay in this port, and when any person from the shore went on board, the ship's officers were sent among the crew to see that nothing was said that might create suspicion.

On the day before the sale was to take place I met a gentleman who had just come from St. Thomas. I at once inquired of him whether he could give me any information respecting the "*Cicéron*." He then assured me that it was well known at St. Thomas that

she was a slaver, and that she had gone there to refit after a very successful voyage with slaves from Africa to the Havana, where she had landed 1,300, 200 having died on the voyage, and that she forms the second of a regular line of fast steamers which are to carry on this inhuman traffic.

Having obtained all the information it was possible to collect, it being then rather late in the afternoon, I decided on calling on his Excellency the Captain-General at an early hour the next day, to inform his Excellency of all I had heard respecting the "*Cicéron*," but seeing that at that moment she was getting up her steam to leave, without the loss of a moment I waited on his Excellency, and informed him of all I had heard respecting her, and asked his Excellency whether she might not be detained and examined, in order that she might be seized if anything was found on board to justify the act. His Excellency said he was very sorry, but that without positive proof he could not take the responsibility of detaining her, that it was not in his power to do so, but that he would have all her clearance papers examined, and that if the slightest irregularity was found he would have her stopped. I then thanked his Excellency and retired.

Later in the evening his Excellency sent me a message, saying that all his papers were in proper order; also a letter that had been written by the Brigadier of Marine to the Captain of the port, requesting him to go on board and examine the "*Cicéron*." The reply of the Captain of the port was also sent to me, in which he says that after a careful examination he found nothing whatever on board to create suspicion.

I have now given your Lordship all the particulars I could collect respecting the "*Cicéron*," which I am sorry to say has safely left this port on another of her cruel and inhuman voyages.

I have, &c.

(Signed) FRANCIS H. COWPER.

No. 279.

Mr. Layard to Acting Consul Cowper.

Sir,

Foreign Office, August 16, 1864.

I AM directed by Earl Russell to acknowledge the receipt of your despatch of the 26th ultimo, containing information respecting the movements of the Spanish slave-steamer "*Cicéron*."

You will see from the accompanying copies of despatches as marked in the margin,* which have been received by Her Majesty's Government, containing information respecting the movements of this vessel, that there is every reason to believe that the "*Cicéron*" failed in procuring a cargo of slaves on her last trip to the African coast.

I am to state that Lord Russell approves of your having communicated to the Captain-General the particulars which had come to your knowledge respecting the "*Cicéron*," and his Lordship desires that you will endeavour to ascertain whether the report of this vessel having succeeded in landing a cargo of slaves in Cuba is well founded or not.

I am, &c.

(Signed) A. H. LAYARD.

No. 280.

Acting Consul Cowper to Earl Russell.—(Received October 29.)

My Lord,

Puerto Rico, September 26, 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 16th ultimo in which your Lordship honours me with your approval for my proceedings in respect to the Spanish slaver "*Cicéron*," together with the inclosed copies of two despatches addressed to your Lordship, one by Mr. Consul Freeman, and the other by Mr. Consul Young, also relating to the movements of the "*Cicéron*."

In reply I beg leave to state that there is not the slightest doubt in my mind that the slaver "*Cicéron*" did make a successful voyage from the Coast of Africa to the Island of Cuba with a large cargo of slaves, and am sorry to say that I fully believe that the "*Cicéron*" has again gone to the Coast of Africa to take in another cargo, and I very much fear that with her high speed she may again be successful.

I requested a gentleman who was going to St. Thomas to make all the inquiries he

* Nos. 8 and 235.

could about her, and on his return he assured me that it was positively known that she had landed several hundred slaves in the Island of Cuba; and I have heard the same account from several different reliable sources. I consequently think that Mr. Consul Young must have been mistaken in stating that the "*Cicéron*" had abandoned the expedition she was on.

If I can obtain any further particulars respecting her movements, I shall not fail to inform your Lordship at once.

I have, &c.
(Signed) FRANCIS H. COWPER.

No. 281.

Acting Consul Cowper to Earl Russell.—(Received October 29.)

My Lord,

Porto Rico, October 1, 1864.

I HAVE the honour to inform your Lordship that, with the exception of the slaver "*Cicéron*" already reported to your Lordship, no attempt at African Slave Trade has been made during the past quarter.

I have, &c.
(Signed) FRANCIS H. COWPER.

SPAIN. (*Consular*)—*Teneriffe*.

No. 282.

Consul Grattan to Earl Russell.—(Received October 12.)

My Lord,

Teneriffe, September 30, 1864.

I HAVE the honour to report to your Lordship that Her Majesty's ship "*Gladiator*," Captain Shortt, arrived at this port on the 13th instant, and landed seventeen prisoners, being the master and crew of the Spanish ship "*America*," which vessel has been declared good prize by the Mixed Court of Sierra Leone. These prisoners have been delivered to the Spanish authorities of this province, to be sent to the Court of Justice of Grand Canary for trial.

I have, &c.
(Signed) HENRY C. GRATTAN.

SPAIN. (*Consular*)—*Vigo*.

No. 283.

Mr. Murray to Consul W. Brackenbury, March 22, 1864.

To watch for "*Cicéron*," suspected slaver.

[See No. 77.]

TURKEY.

No. 284.

Earl Russell to Mr. Erskine.

Sir, *Foreign Office, February 9, 1864.*
 HER Majesty's Consul-General at Tripoli has reported to me some particulars connected with the recent embarkation from that place of a draft of negroes of both sexes for Constantinople, on board the Ottoman steam-corvette "*Taif*," which would lead to the belief that the affair was a slave-trading transaction.

In case Colonel Herman should not have reported this affair to you, I inclose a copy of his despatch.*

You will see that shortly after the arrival of the "*Taif*" at Tripoli, a general razzia was made on the negroes in the town and the adjacent villages, and that on inquiry Colonel Herman was informed that the negroes were required at Constantinople for the service of the marine artillery.

Some 60 negroes only are stated to have been embarked for the service of the Government, but 40 or 50 women were also placed on board, and among them 10 or 11 female slaves, the property of the late Cadi, Mohammed Emin Effendi. None of the negroes of either sex, however, appear to have been included in the bill of health issued by quarantine authorities; and the inference Her Majesty's Consul-General draws from this omission is, that it was intended to land the negroes surreptitiously on some point on the coast previous to the corvette's arrival at Constantinople.

For whatever purpose the negroes were thus arbitrarily seized and deported, it is to be presumed that the women were not required for the service of the Government; and I have therefore to desire that you will take steps for ascertaining the true state of the case with regard to this affair, and if the result of your inquiries should justify your doing so, you will address a strong remonstrance on the subject to the Turkish Government.

I have also to call your attention to that part of Colonel Herman's despatch in which he reports that the illicit Trade in Slaves from the interior is daily assuming a wider development, and that the firman of the late Sultan abolishing this Traffic has become a solemn mockery.

You will not fail to remonstrate with the Turkish Government with regard to this matter also; and you will request that stringent instructions may be sent to the local authorities for carrying out in good faith the late Sultan's orders for putting a stop to the Slave Trade.

I am, &c.
 (Signed) RUSSELL.

No. 285.

Mr. Erskine to Earl Russell.—(Received March 8.)

My Lord, *Constantinople, February 25, 1864.*

IN reply to your Lordship's despatch of the 9th instant I have the honour to state that, in my despatch of the 5th of December last, I reported the explanation given to me by Aali Pasha with respect to the alleged shipment of a draft of negroes of both sexes from Tripoli for Constantinople, referred to in Mr. Consul-General Herman's despatch of the 12th of November last.

Since receiving your Lordship's despatch above mentioned, I have again adverted to this subject with Aali Pasha, and His Highness authorized me to assure your Lordship that he has not failed to transmit the most stringent orders to the Governor-General of Tripoli

to make every effort in his power to put a stop to the Traffic in Slaves, which, as is alleged by Mr. Consul-General Herman, is still carried on in that province; and strictly to enforce the injunctions contained in the Imperial Firman of 1856.

I have, &c.
(Signed) E. M. ERSKINE.

No. 286.

Sir H. Bulwer to Earl Russell.—(Received September 9.)

My Lord,

Constantinople, August 31, 1864.

I HAVE the satisfaction of stating to your Lordship that the Porte appears to have put a stop to the Traffic in Slaves which is said to have been carried on amongst the Circassian emigrants. Last week a firman was issued absolutely abolishing the Trade and forbidding the further purchase or sale of slaves of either sex. This excellent decree has been accompanied by action on the part of the Immigration Commissioners.

I must state, however, that most of these sales were effected under pressure of the captains of the various transports who, though chartered by the Porte, appear to have driven a regular and profitable trade by exacting passage-money from the wretched mountaineers in either money or "kind," lots being drawn for the wretched boys or girls, who were thus sacrificed for the transport redemption of their fellow creatures.

This fact having come to the knowledge of the Commission, an inquiry was instituted and a large number of youths and girls have been summarily set free and restored to their parents.

I have, &c.
(Signed) H. L. BULWER.

No. 287.

Earl Russell to Sir H. Bulwer.

Sir,

Foreign Office, November 28, 1864.

I TRANSMIT to your Excellency herewith copy of an instruction which I have addressed to Her Majesty's Consul-General in Egypt* relative to a Traffic in Slaves, which is stated to be extensively carried on in the Red Sea by the vessels of the Azizieh Steam Navigation Company.

I also inclose an extract of a Report from Commander Purvis, of Her Majesty's ship "Pantaloön," which has been communicated to me by the Lords Commissioners of the Admiralty, relative to the Slave Trade carried on between Massowah and Jedda by dhows sailing under the Turkish flag, and I have to instruct your Excellency to omit no opportunity of pressing upon the Turkish Government the necessity of stringent measures being adopted for putting a stop to the Slave Trade which is carried on under the Turkish and Egyptian flags in the Red Sea.

I am, &c.
(Signed) RUSSELL.

* No. 288.

TURKEY. (*Consular*)—*Alexandria*.

No. 288.

Earl Russell to Consul-General Colquhoun.

Sir, *Foreign Office, November 26, 1864.*
 MR. HENRY CALVERT, the Acting British Consul at Jedda, has represented that the Slave Trade is carried on to a considerable extent in the Red Sea by the vessels belonging to the Azizieh Steam Navigation Company, one of them, the "*Yembo*," on board of which Mr. Calvert took passage to Jedda, having, it is stated, on her last voyage to Suez conveyed several hundred slaves to that port under the pretext that they were liberated slaves going to Egypt on business of their own.

I have to desire that you will make such representations both to the Egyptian Government and to the directors of the Steam Company in question as you may deem best calculated to put a stop to this disguised Slave Traffic.

I am, &c.
 (Signed) **RUSSELL.**

TURKEY. (*Consular*)—*Soudan*.

No. 289.

Consul Petherick to Earl Russell.—(Received May 23.)

My Lord, *Khartoum, January 27, 1864.*
 AFTER long-continued serious illnesses, which for many months have incapacitated me from applying myself to a work of so trying a description as the subject of the present despatch, it is but now that I feel possessed of sufficient strength to acknowledge the receipt of your Lordship's despatch dated October 31, 1862, and to trust myself to reply thereto.

From reports of my death, or irregularities in Egypt in connection with the conveyance of my letters, the despatch alluded to did not reach me until the 12th December, 1863.

On the 23rd November, long after their arrival at this place, I expressed my surprise to Her Majesty's Agent at Alexandria at being without information relative to Amabile and Debono, and it is a source of great pain to me that, for so long a period, I should have suffered your Lordship's severe reprimands without being able, at an earlier opportunity, to defend myself.

The expedition on which I was engaged was known and sanctioned by your Lordship, and the impossibility on my part to communicate by letter to any place from the midst of negro tribes in the far interior, as also a necessary prolonged absence, must equally have been surmised, if not positively known.

Therefore, considering the statement of further promised evidence in my despatch of

the 24th May, 1862, and your Lordship's conviction, there could be no moral doubt both had been extensively engaged in the Slave Trade. I cannot understand, nor submit to be held responsible for, the premature release of Amabile and Debono from restraint; the more so as on my arrival here I was prepared with witnesses whose testimonies might have been sufficient to convict one, if not both, of them.

Under these circumstances, is it right to accuse me of neglect to that extent that justice cannot, in the present instance, be made to reach parties who have been engaged in carrying on a desolating Slave Trade on the White Nile, and that my conduct should be judged unaccountable and reprehensible? Also, may I be permitted to ask, on what grounds are doubts expressed of the correctness of a part, if not the whole, of my statements, as asserted in your Lordship's despatch to Her Majesty's Agent of the 31st October, 1862?

My Lord, I value my character much too high to tolerate such reproof; and it is incumbent upon me to demand most urgently a close investigation of my conduct with regard to this subject, upon which occasion I shall also desire to reply to the remarks of Sir Edmund Hornby.

To the detriment of my interests as a merchant, I have allowed no opportunity to escape me in order to carry out my instructions relative to the Slave Trade to the full extent of my capabilities; and, in consequence, I seized slaves on board one of my own boats, and sent the delinquent agent, Abd il Majid, handcuffed, to Khartoum, for trial by the proper authority, of which, in my despatch of the 24th May, 1862, I duly apprized Her Majesty's Agent at Alexandria.

Another party, sailing under the British flag, men employed by Michael Lutf Allah, generally known as Hhalil il Shami, I also accused of capturing slaves, and one and all have been dismissed by the local authority without a remark or inquiry on the part of Her Majesty's Government, although its flag has been tainted.

Neglected in these instances, as upon every other occasion, when energetic and high support was required, I have naturally been slighted by the local authority, and ridiculed by the slave-traders.

Under these circumstances I cannot but coincide with your Lordship's decision, communicated to me by despatch of the 3rd October, 1863, that the time has arrived to abolish Her Majesty's Consulate for the Soudan.

I have, &c.
(Signed) JOHN PETHERICK.

UNITED STATES.

No. 290.

Lord Lyons to Earl Russell.—(Received February 17.)

My Lord,

Washington, February 5, 1864.

I HAVE the honour to inclose a copy of a note in which, in obedience to the instruction contained in your Lordship's despatch of the 31st of December last, I have requested Mr. Seward to communicate to Her Majesty's Government any information which the United States' authorities may be able to furnish respecting the vessel from which upwards of 1,100 African negroes were landed in Cuba last autumn.

I have, &c.
(Signed) LYONS.

Inclosure in No. 290.

Lord Lyons to Mr. Seward.

Sir,

Washington, February 4, 1864.

I HASTENED to communicate to Her Majesty's Government the note dated the 21st instant, in which you did me the honour to inform me that you had learned from the United States' Consul-General at Havana that more than 1,000 recently imported African negroes had been brought to that city.

Her Majesty's Government had already received intelligence of a steam-vessel having left the African coast with a cargo of upwards of 1,100 slaves on board, and also of these slaves having been landed in Cuba. They have since been informed by Her Majesty's Consul-General at Havana that 1,105 of the newly imported slaves have been seized by the Captain-General of Cuba.

Her Majesty's Government are not at present acquainted with particulars relative to the vessel from which the slaves were landed, but they will take measures to discover, if possible, the name of the vessel and the parties implicated in her proceedings, and they will be very much obliged if the Government of the United States will communicate to them any information on the subject which the United States' authorities may be able to furnish.

I have, &c.
(Signed) LYONS.

No. 291.

Lord Lyons to Earl Russell.—(Received February 17.)

My Lord,

Washington, February 5, 1864.

I HAVE the honour to transmit to your Lordship a copy of a letter in which I have suggested to Mr. Seward that the United States' Minister at Madrid should be instructed to address to the Spanish Government a representation on the amendments required in the law respecting slavery in Cuba, similar to that made by Her Majesty's Minister in the note which he addressed to the Government of Spain by your Lordship's order on the 16th December last.

I have, &c.
(Signed) LYONS.

Inclosure in No. 291:

Lord Lyons to Mr. Seward.

My dear Sir,

Washington, February 4, 1864.

I DID not fail to forward to Lord Russell a copy of the letter of the 28th November last, in which you did me the honour to inform me that if his Lordship would prepare the draft of such a communication as might, in his opinion, properly be addressed to the Spanish Cabinet, with a view to procure an amendment of the laws affecting the introduction of slaves into Cuba, the President of the United States would authorize you to communicate with the Government of Spain in the same sense and spirit with those adopted by Her Majesty's Government.

Lord Russell has desired me to thank you for taking the President's instructions on this matter at a time when other pressing affairs must have occupied the attention of the Chief Magistrate. He has also authorized me to communicate to you the inclosed copies of a despatch from Her Majesty's Minister at Madrid, and of a note in which, in execution of instructions from Her Majesty's Government, that Minister has pointed out to the Government of Spain the measures which, in the opinion of Her Majesty's Government, are required for the suppression of the Cuban Slave Trade.

Her Majesty's Government do not doubt that a similar representation addressed to the Government of Spain by the United States' Minister at Madrid would have great weight with the Spanish Cabinet, and they would learn with much satisfaction that the United States' Representative had been directed to make a communication to the Spanish Minister for Foreign Affairs in the same sense as that made by Her Majesty's Minister in the note of which a copy accompanies this letter.

Believe me, &c.
(Signed) LYONS.

No. 292.

Lord Lyons to Earl Russell.—(Received February 17.)

My Lord,

Washington, February 5, 1864.

I YESTERDAY spoke to Mr. Seward on the nature of the communications which have recently passed between Her Majesty's Government and the Government of Spain relative to the Cuban Slave Trade.

I at the same time placed in Mr. Seward's hands a Memorandum (a copy of which I inclose herein) stating the views of Her Majesty's Government on the subject.

I have, &c.
(Signed) LYONS.

Inclosure in No. 292.

*Memorandum.**February 4, 1864.*

THE present Captain-General of Cuba has acted in good faith in carrying out the Treaty obligations of Spain for the suppression of the Slave Trade, and the Spanish Government appears to have hitherto approved the proceedings of that officer. The result has been that the number of slaves introduced into Cuba within the twelve months ended the 30th of last September is estimated at from 7,000 to 8,000 as compared with 11,254, the number introduced in the corresponding twelve months of the preceding year.

This diminution in the Cuban Slave Traffic would be satisfactory if it were not that it is mainly owing to the exertions of one individual alone, the present Captain-General of Cuba, who, it must be borne in mind, is liable to be removed at any moment, when, in all probability, the Traffic would again resume its wonted vigour.

General Dulce complains bitterly of the want of sufficient power conferred upon him, and of the inadequacy of the provisions of the Spanish Penal Code for suppressing the Cuban Slave Trade; and if an officer so well disposed as is the present Captain-General of Cuba finds it impossible to put a stop to the importation of slaves into Cuba, it may easily be inferred that a less honourable officer would find ample excuses for the non-performance of his duties in this respect.

In order to put an end to the Slave Trade in Cuba it is necessary that the Spanish

Government should take steps for amending the laws prohibiting the introduction of slaves into that island. The existing laws are admitted by the Spanish authorities to be insufficient for the purposes for which they were framed; and until they are amended the sincerity and good faith of the Spanish Government will be liable to be called in question.

The 4th and 13th Articles of the Penal Code only serve as a protection to the slave-dealers.

The former of these Articles prohibits the seizure by the authorities of any newly imported slaves, no matter how notorious may have been the violation of the Spanish laws in introducing the negroes, if once the slaves have been conveyed to a property or plantation in the island.

The 13th Article, on the other hand, provides that the legal punishment of slave-dealers and their accomplices can only be inflicted in virtue of a sentence of the Royal Audiencia Pretorial; but in consequence of nearly the whole of the population of Cuba, as well as the subordinate authorities, being more or less mixed up and interested in the Slave Trade, it is impossible to procure evidence to convict the parties engaged in the Traffic, and this Article remains, therefore, entirely inoperative.

Eleven hundred slaves have, as is well known to the Government of the United States, been recently seized by the Captain-General of Cuba after they had been successfully landed and conveyed to a plantation in that island. Attempts will doubtless be made to procure their restitution on the ground that they have been illegally seized by the Captain-General; but if one of these negroes is given up to the slave-dealers, either by the orders of the Spanish Government or by the decision of a judicial Tribunal, Her Majesty's Government trust that the Government of the United States will unite with Her Majesty's Government in addressing a serious remonstrance on the subject to the Spanish Government.

No. 293.

Earl Russell to Lord Lyons.

My Lord,

Foreign Office, February 27, 1864.

WITH reference to your Lordship's despatch of the 5th instant, I have to acquaint you that I approve the letter which you addressed to Mr. Seward, suggesting that the United States' Minister at Madrid should be instructed to address to the Spanish Government a representation similar to that addressed to the Spanish Cabinet by Her Majesty's Minister on the subject of the amendments required in the laws respecting slavery in Cuba.

I am, &c.
(Signed) RUSSELL.

No. 294.

Lord Lyons to Earl Russell.—(Received February 28.)

My Lord,

Washington, February 12, 1864.

WITH reference to my despatch of the 5th instant, I have the honour to transmit to your Lordship a copy of a letter from Mr. Seward inclosing a copy of an instruction which he has addressed to the United States' Minister at Madrid respecting the measures required for the effectual suppression of the Cuban Slave Trade.

I have, &c.
(Signed) LYONS.

Inclosure 1 in No. 294.

Mr. Seward to Lord Lyons.

My dear Lord Lyons,

Department of State, Washington, February 6, 1864.

I HAVE the honour to acknowledge the receipt of your note of the 4th instant, communicating a copy of a despatch from Her Majesty's Minister at Madrid, and of a note framed under the instructions of Her Majesty's Government pointing out to the Government of Spain the measures which, in the opinion of Her Majesty's Government, are required for the suppression of the Cuban Slave Trade.

In reply, I have the honour to acquaint you that, in conformity with the suggestion contained in your note, the Minister of the United States at Madrid has been instructed to address to the Spanish Minister for Foreign Affairs a representation in the same sense as that made by Her Majesty's Minister in the note above referred to.

I am, &c.

(Signed) WILLIAM H. SEWARD.

P.S.—I inclose a copy of my instruction to Mr. Koerner

W. H. S.

Inclosure 2 in No. 294.

Mr. Seward to Mr. Koerner.

Sir,

Department of State, Washington, February 6, 1864.

BY the IXth Article of the Treaty of Washington of the 9th of August, 1842, between the United States and Great Britain, it is stipulated that "the parties will unite in all becoming representations and remonstrances with any and all Powers within whose dominions such markets (for African negroes) are allowed to exist; and that they will urge upon all such Powers the propriety and duty of closing such markets effectually at once and for ever."

Spain is believed to be the only Christian State into whose dominions African negroes are now introduced as slaves. She has a Treaty with Great Britain stipulating for the suppression of that Traffic. The instrument was concluded at a time and under circumstances which, as it seems to us, imposed a peculiar weight of moral obligation on Spain to see that her stipulations were carried into full effect. It is understood, however, that the expectations of the British Government in that respect have been signally disappointed. This has, no doubt, been mostly owing to the fact that a great part of the public revenue of Spain has hitherto been derived from Cuba, the prosperity of which island has in some quarters been erroneously supposed to depend upon a continued supply of imported slave-labour. This is believed to be the source of the disregard of Cuban slave-dealers of the humane policy of the Home Government, and the alleged inefficiency, at times, of the Colonial authorities.

We have no Treaty with Spain on the subject of the Slave Trade; but as the laws of the United States characterized it as piracy long before our Treaty with Great Britain above referred to, we think ourselves entitled to consider that Trade an offence against public law, so far as to warrant our faithful compliance with the stipulation contained in that Treaty. Herewith I transmit a copy of an informal note on this subject of the 4th instant, addressed to me by Lord Lyons, and of the papers to which it refers. From these it would seem that though the number of Africans introduced into Cuba is diminishing, yet that the municipal laws in force there require amendment before a stoppage of the Traffic can be expected. The peculiar relation of Great Britain to Spain with reference to this topic may justify to the full extent the text of the note of Sir John Crampton to the Marquis de Miraflores. The relations of the United States to Spain, however, are of a different character; but the President authorizes and directs you to address a communication in general terms to the Spanish Minister for Foreign Affairs, setting forth the Treaty stipulation between the United States and Great Britain on this subject, and stating that it would afford the utmost satisfaction in this country if any obstacles existing in Cuba to the complete suppression of the African Slave Trade should be removed.

I am, &c.

(Signed) WILLIAM H. SEWARD.

No. 295.

Lord Lyons to Earl Russell.—(Received March 8.)

My Lord,

Washington, February 23, 1864.

WITH reference to my despatch of the 5th instant, I have the honour to transmit to your Lordship a copy of a note from Mr. Seward, stating that efforts will be made to comply with the request of Her Majesty's Government for information with regard to the name of the vessel from which more than 1,000 negroes were, not long ago, landed to Cuba.

I have, &c.

(Signed) LYONS.

Inclosure in No. 295.

Mr. Seward to Lord Lyons.

My Lord,

Department of State, Washington, February 15, 1864.

I HAVE the honour to acknowledge the receipt of your note of the 4th instant, with reference to the bringing of more than 1,000 recently imported African negroes to Havana; and to state that efforts will be made to comply with the request of Her Majesty's Government for information with regard to the name of the vessel from which the slaves were landed, and respecting the parties implicated in her proceedings.

I have, &c.

(Signed)

WILLIAM H. SEWARD.

No. 296.

Lord Lyons to Earl Russell.—(Received March 29.)

My Lord,

Washington, March 14, 1864.

WITH reference to my despatch of the 23rd ultimo, I have the honour to transmit to your Lordship a copy of a note from Mr. Seward, and a copy of its inclosure, a Report from the United States' Consul-General at Havana, respecting the recent importation into Cuba, and seizure by the authorities there, of a large number of negroes.

I have, &c.

(Signed)

LYONS.

Inclosure 1 in No. 296.

Mr. Seward to Lord Lyons.

My Lord,

Department of State, Washington, March 11, 1864.

RECURRING to your note of the 4th ultimo respecting the arrival in Havana of 1,000 imported negroes, in which the desire of Her Majesty's Government for any information on the subject is signified, I have the honour to inclose a copy of a despatch of the 5th instant from the United States' Consul-General at the port which relates to the matter.

I have, &c.

(Signed)

WILLIAM H. SEWARD.

Inclosure 2 in No. 296.

Mr. Savage to Mr. Seward.

Sir,

United States' Consulate-General, Havana, March 5, 1864.

IN reply to your despatch of the 5th ultimo accompanying a copy of a note from Lord Lyons of the preceding date, I have to state that notwithstanding the most diligent inquiries among my friends I have been unable to ascertain the name of the steamer that brought the large lot of African negroes (upwards of 1,000) captured by the Spanish authorities. These negroes were landed in the district of Colon on the south side of this Island. The steamer had been originally English, came from England to Cadiz, where she was put under Spanish colours, fitted out for the Slave Trade, and cleared ostensibly for a lawful voyage to Fernando Po, a Spanish island on the Coast of Africa.

The negroes were captured on shore by the Lieutenant-Governor of the district, and I am confidentially informed that the steamer proceeded again to Africa for another load of the same kind, the necessary stores having been placed on board immediately on the discharge of her cargo. It is said that Don Julian Zulueta, Don Salvador Samá, Marquis of Mariano, the Brigadier Garcia Muñoz, and other prominent persons, amongst whom General Concha is mentioned, were interested in that expedition.

Several slave-expeditions have been landed for the same parties, but two besides the above have been captured, one of about 600 negroes, and the other of about 200, most of the cargo of this latter having been landed, and the vessel conveying them has the

appearance of being English built. Don José Carreras, a partner of M. S. Samá, has been for some time past in confinement charged with being implicated in these violations of the law. Should any further trustworthy information reach me I will not fail to transmit it at the earliest opportunity.

I have, &c.
(Signed) T. SAVAGE.

No. 297.

Earl Russell to Lord Lyons.

My Lord,

Foreign Office, June 3, 1864.

I TRANSMIT herewith to your Lordship a copy of a despatch from Her Majesty's Commissioner at Loanda relative to the American brigantine "*Myra*,"* which is suspected of being destined to be employed in the Slave Trade; and I have to instruct your Lordship to communicate the suspicions entertained with regard to this vessel to the United States' Government.

I am, &c.
(Signed) RUSSELL.

No. 298.

Lord Lyons to Earl Russell.—(Received June 12.)

My Lord,

Washington, May 31, 1864.

WITH reference to my despatch of the 5th of April, and to the previous correspondence relative to the landing of upwards of 1,000 negroes in Cuba, and to the representations made to the Spanish Government by the Governments of Great Britain and the United States on the state of the law in that island, I have the honour to transmit to your Lordship copies, taken from a newspaper, of correspondence relative to the surrender by the United States' Government to Spain of Señor Arguelles, who appears to have fraudulently retained and sold into slavery 141 of the negroes in question.

I inclose, also, an extract from the "*National Intelligencer*" newspaper of to-day, stating that a letter has been received from the Captain-General of Cuba, affirming that "simply the presence of Arguelles on his return to this island has already, and in a few minutes, given liberty to 86 human beings."

As there is no Extradition Treaty between the United States and Spain, the lawfulness of the surrender of Señor Arguelles has been much questioned, and the affair has caused some excitement, both in Congress and among the public at large.

No communication on the subject took place either between Mr. Seward and me or between my Spanish colleague and me. Indeed, I knew nothing of the affair until the fact of Señor Arguelles having been arrested and sent back to Cuba was announced in the newspapers.

I have, &c.
(Signed) LYONS.

Inclosure I in No. 298.

Extract from the "New York Herald" of May 23, 1864.

THE "ARGUELLES" CASE.—IMPORTANT DIPLOMATIC CORRESPONDENCE LEADING TO THE ARREST.

Mr. Seward to District Attorney Hall.

Sir, *Department of State, Washington, May 15, 1864.*

I have the honour to transmit to you the official papers in the case of Don José Augustin Arguelles.

By these papers you will learn that the proceedings of the Marshal of the Southern

District of New York in that case were taken by direction of the President of the United States.

I am, &c.
(Signed) WILLIAM H. SEWARD.

Mr. Savage to Mr. Seward, November 20, 1863; Mr. Seward to Lord Lyons, November 28, 1863; Lord Lyons to Mr. Seward, November 30, 1863.

[See Class B, 1863, Inclosures in No. 233.]

Lord Lyons to Mr. Seward, February 4, 1864.

[See Inclosure in No. 290.]

Lord Lyons to Mr. Seward, February 4, 1864.

[See Inclosure in No. 291.]

Memorandum.

[See Inclosure in No. 292.]

Mr. F. W. Seward to Mr. Savage.

Sir, *Department of State, Washington, February 5, 1864.*

Your despatches from No. 116 to No. 118, both inclusive, have been received.

Referring to your despatch No. 110, relating to the landing of certain negroes from Africa, I have now to transmit herewith a copy of a note from Lord Lyons, from which you will perceive that the Government of Great Britain desire further information in regard to the name of the vessel and the parties implicated in her proceedings. You will have the goodness, therefore, to endeavour to obtain such further information as you can, and communicate it to this Department.

I am, &c.
(Signed) F. W. SEWARD, *Assistant Secretary.*

Mr. Seward to Lord Lyons, February 6, 1864.

[See Inclosure 1 in No. 294.]

Mr. Seward to Mr. Koerner, February 6, 1864.

[See Inclosure 2 in No. 294.]

Mr. Koerner, United States' Minister at Madrid, to the Secretary of State.

(Extract.)

Madrid, February 28, 1864.

Some time previous to the receipt of your last Sir John Crampton had called upon me, and had explained the grounds and the object of the remonstrances which his Government had felt itself compelled to make to the Spanish Government respecting certain failures in the proper execution of Treaty stipulations existing between Great Britain and Spain as to the suppression of the Slave Trade. He also informed me of the President's promise to support the British reclamation, according to the Washington Treaty. Subsequent to the receipt of your despatch upon that subject I had another interview with Sir John, in which he informed me of the conversations and the correspondence which he had already had with the Minister of State on the question, and of his prospects of success.

To his Excellency Señor Don L. Arrazola, Minister of State of Her Catholic Majesty.

Sir,

Madrid, February 27, 1864.

The subject of suppressing the inhuman African Slave Trade has been one of deep anxiety to the Government of the United States from the time of its foundation. The United States have been among the first of nations, if not the first, that have denounced this Traffic in human beings as "piracy," and have visited their own citizens implicated in it with the severest penalties. At very heavy pecuniary sacrifices, and at the risk of the lives of their own naval officers and seamen, they have for more than twenty years supported a squadron on the Western Coast of Africa, in a most destructive climate, in order to prevent the successful carrying on of this nefarious Trade. They have, with a like view, entered into stipulations with the Government of Her Britannic Majesty, in the year 1842, contained in what is called the Treaty of Washington, the IXth Article of which is as follows. [Here follows the Article entire.]

The attention of the President of the United States has lately been directed to certain difficulties which have presented themselves, and which appear to prevent a complete suppression of the Slave Trade in the Colonial possessions of Her Catholic Majesty, and more especially in the Island of Cuba, which difficulties do not arise from any desire of the Spanish Colonial authorities to favour the said Trade. It is well known that the efforts made by the Captain-General of that Island correspond entirely to the wise and humane policy which the Home Government of Her Catholic Majesty has adopted in regard to the subject in question, and which is thoroughly appreciated by the President and the people of the United States.

The difficulties spoken of seem to be inherent in the laws and regulations in existence, which are supposed to give room for interpretations by which their force may be evaded.

In view of the general policy of the United States, which looks upon the African Slave Trade as an offence against the public law of nations, and has denounced it as piracy; in view also of the Treaty stipulations existing between them and the Government of Her Britannic Majesty, the President of the United States has instructed me to respectfully call the attention of Her Catholic Majesty's Government to this subject, and to suggest such a revision of the existing laws and regulations concerning the unlawful introduction of slaves into the Island of Cuba as will best accomplish the object which Her Majesty's Government had in view when those laws and regulations were enacted.

It is hardly necessary for the Undersigned to assure your Excellency that these suggestions arise from the purest motives, and would not have been made unless the President had considered the very friendly and cordial relations existing between the United States and Spain as justifying this application, and had he not been bound to another friendly nation by engagements which it is his duty, as well as his pleasure, to carry out faithfully.

It is almost equally unnecessary for me to inform your Excellency that it would afford the utmost satisfaction to the President and the people of the United States if any obstacles existing in the Island of Cuba to the complete suppression of the African Slave Trade should be removed by the considerate action of the Government of Her Catholic Majesty.

The Undersigned, &c.

(Signed)

GUSTAVUS KOERNER.

Mr. Savage to Mr. F. W. Seward, March 5, 1864.

[See Inclosure 2 in No. 297.]

Mr. Seward to Lord Lyons, March 11, 1864.

[See Inclosure 1 in No. 297.]

Mr. F. W. Seward to Mr. Savage.

Sir,

Department of State, Washington, March 11, 1864.

Your despatch No. 127 has been received, and a copy sent to Lord Lyons, Her Britannic Majesty's Minister, for his information, in regard to the landing of Africans in Cuba.

I am, &c.

(Signed)

F. W. SEWARD, *Assistant Secretary.*

Mr. Savage to Mr. Seward.

*Consulate-General of the United States of America,
Havana, March 27, 1864.*

Sir,

I have just returned from an interview I had with the Captain-General, by his request, the object of which was to ascertain if the United States' authorities can return to this island the person of an officer of the Spanish army named Don José Augustin Arguelles, who is believed to be in New York. This officer was, in November last, the Lieutenant-Governor of the district of Colon, in this island, and effected the capture of the large expedition of African negroes reported by me to the Department on the 20th of November last, despatch No. 167. The Government was highly pleased with his zeal, and paid him 15,000 dollars for his share of the prize-money usually allowed to captors of such expeditions. The officer subsequently obtained a leave of absence of twenty days, upon his representation that the object of his journey to New York was to purchase the Spanish journal there published, called "La Cronica." He has not returned, and since his departure it has been discovered that he and other officers of the district of Colon retained and sold into slavery 141 negroes captured by them. Some of these negroes were sold at 700 dollars, and others at 750 dollars each.

The Superior Court of the island, having exclusive jurisdiction over such causes, has taken cognizance of this case, and requires the presentation of Don José Augustin Arguelles before it to ensure the prompt liberation of these 141 victims.

The Captain-General gave me to understand, that without Arguelles' presence it would be very difficult, and at all events it would require a long time, to attain that humane object.

His Excellency pronounced Arguelles to be a scoundrel worse than thief or highwayman, inasmuch as he took advantage of his position as the local authority to commit that outrage with little risk to himself.

I told the Captain-General that, in the absence of an Extradition Treaty between the two Governments, or of any law, public or municipal, authorizing the rendition, our Government could not grant the request; but promised to lay the matter, in this confidential way, before you, which he desired me to do by the earliest opportunity.

I beg of you to consider the subject, and to advise me at an early day of your views thereupon.

I have, &c.
(Signed) THOS. SAVAGE.

Mr. Tassara to Mr. Seward.

Legation of Spain in Washington, April 5, 1864.

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Her Catholic Majesty, has received information of the arrival in this country of an officer of the Spanish army, named Don José Augustin Arguelles, escaped from the Island of Cuba, under the charge of having sold negroes into slavery.

The circumstances of the case seem to be as follows:—The above-named officer was in November last Lieutenant-Governor of the district of Colon, and effected whilst in this capacity the seizure of a large expedition of African negroes. The Government, pleased with his zeal, paid him a large sum as his share of the prize-money usually allowed to the captors of such expeditions. The officer subsequently obtained a leave of absence of twenty days to proceed to New York, upon representing that the object of his journey was to purchase a Spanish journal published in that city; but since his departure it has been discovered that he and other officers of the district of Colon retained and sold into slavery 141 of the negroes captured by them.

The Superior Court of the island, having exclusive jurisdiction over such causes, has taken cognizance of this case, and requires the presence of Arguelles before it to insure the prompt liberation of the 141 victims. Without such presentation it would be very difficult, and at all events it would require a long time, to attain that humane object. The Undersigned is well aware that no Extradition Treaty exists between the United States and Spain, in virtue of which the surrender of Arguelles to the authorities of Cuba might be obtained. Yet, considering the gross and scandalous outrage which has been committed, as well as the interests of humanity at stake in the prompt resolution of this matter, he has not hesitated in submitting the case in this confidential way to the consideration of the United States' Government, in order to ascertain whether an incident so exceptionable could not be met with exceptionable measures. The Undersigned has been the more

induced to take this step that he has good reason to believe a similar application to have made also in a confidential form by the Captain-General of Cuba.

The Undersigned, &c.

(Signed)

GABRIEL G. TASSARA.

Mr. F. W. Seward to Mr. Savage.

Sir, *Department of State, Washington, April 14, 1864.*

Your despatch No. 136 has been received, in which you call attention to the case of Don José Augustin Arguelles. I am instructed to inform you that, if the Captain-General will send to New York a suitable officer, steps will, if possible, be taken to place in his charge the above-named individual, for the purpose indicated in your despatch.

You will immediately communicate the purport of this instruction in confidence to the Captain-General.

I am, &c.

(Signed) F. W. SEWARD, *Assistant Secretary.*

Mr. Seward to Mr. Tassara.

Sir, *Department of State, Washington, April 16, 1864.*

In acknowledging the receipt of your confidential communication of the 5th instant, I have the honour to inform you that the Consul-General of the United States at Havana has been instructed to state to his Excellency the Captain-General of Cuba that if suitable officer be sent to New York such steps as may be proper will be taken to place in his charge, for the purpose indicated in your note, the Spanish officer Don José Augustin Arguelles.

Be pleased, &c.

(Signed) WILLIAM H. SEWARD.

Mr. Savage to Mr. Seward.

Sir, *Consulate-General of the United States of America,
Havana, April 23, 1864.*

I have the honour to acknowledge the reception of despatches from the Department, Nos. 70 to 77, both inclusive.

I also received yesterday the despatch No. 79, signed by F. W. Seward, Assistant Secretary, and immediately communicated the purport thereof, in confidence, to the Captain-General. He had likewise a despatch from the Spanish Minister at Washington, advising him of the interview he had had with you on the subject of the rendition of the Spanish officer José Augustin Arguelles.

His Excellency was very much pleased, and very warmly expressed his thanks to me for the promptness with which I had attended to his request in this matter. He read me the Spanish Minister's letter, and said that he would send a proper officer to perform the service, who will probably proceed to New York by the steamer "Columbia" on Monday next, and on arrival immediately repair to Washington, and place himself under the direction of the Spanish Minister.

In this connection, I deem it proper to make known to you that the Captain-General is under the impression that Arguelles will be surrendered as accused of crime, to be subjected to trial here, in which case, from what I can learn, he will certainly be convicted and sentenced to the chain gang, which will be the fate of the curate of Colon, and three or four others who were accomplices, aiders, and abettors of Arguelles in the nefarious business. I did not say anything to his Excellency to the contrary, not feeling authorized to do so.

The 141 negroes sold into slavery by Arguelles, as alleged, were represented by him and his accomplices as having died of disease after landing, and the curate of Colon is charged with having made a new register of deaths, wherein those supposed deaths were inserted. This new register supplanted the regular one, which the Captain-General says Arguelles took away, and now has in his possession. Conclusive evidence of this fact is before the Court.

I have, &c.

(Signed) THOS. SAVAGE, *Vice Consul-General.*

The Indictment of Marshal Murray.

City and County of New York, ss.

The jurors of the people and State of New York, in and for the body of the city and county of New York, upon their oath present :—

That Robert Murray, late of the Fifteenth Ward of the city of New York, in the county of New York aforesaid, and Charles Mc Kay, late of the same place, and Daniel Young, late of the same place, and Eben. S. Poor, late of the same place, and Samuel P. Jones, late of the same place, on the 11th day of May, in the year of our Lord 1864, at the ward, city, and county aforesaid, with force and arms, in and upon one Don José Augustin Arguelles, then and there being, did feloniously make an assault, and did then and there wilfully, feloniously, and unlawfully take into their possession as a prisoner, and did then and there wilfully and feloniously kidnap the said Don José Augustin Arguelles, with the felonious intent to then and there cause the said Don José Augustin Arguelles to be then and there sent out of the State of New York, and against his will; and that they, the said Robert Murray, Charles Mc Kay, Daniel Young, Eben. S. Poor, and Samuel P. Jones, in the unlawful and felonious premises and acts aforesaid, then and there by them done and committed, acted therein, then and there as aforesaid, without any lawful authority, and against the will of the said Don José Augustin Arguelles, and against the form of the statute in such case made and provided, and against the peace of the people of the State of New York and their dignity.

(Signed) A. OAKLEY HALL, *District Attorney.*

Inclosure 2 in No. 298.

Extract from the "National Intelligencer" of May 31, 1864.

THE CASE OF ARGUELLES.—In the case of Arguelles, the Captain-General of Cuba announces the arrival of Arguelles at Havana by the steamer "Eagle," in custody of the Spanish agent. The Captain-General in his letter returns his thanks to Mr. Seward for the service which he has rendered to humanity by furnishing the medium through which a great number of men will obtain their emancipation, whom the escape of Arguelles would have reduced to slavery. The Captain-General adds that "simply the presence of Arguelles on his return to this Island has already, and in a few minutes, given liberty to eighty-six human beings."

No. 299.

Lord Lyons to Earl Russell.—(Received July 2.)

My Lord,

Washington, June 20, 1864.

I HAVE the honour to inclose a copy of a note in which, in obedience to the instructions contained in your Lordship's despatch of the 3rd instant, I have made known to the United States' Government the suspicions which have been excited, that an American brig, the "*Myra*," is destined to be employed in the Slave Trade.

I have, &c.

(Signed) LYONS.

Inclosure in No. 299.

Lord Lyons to Mr. Seward.

Sir,

Washington, June 18, 1864.

HER Majesty's Principal Secretary of State for Foreign Affairs has directed me to make known to the Government of the United States suspicions which have been excited respecting an American brigantine, called the "*Myra*."

Her Majesty's Commissioner at Loanda, in a report dated at that place on the 14th March last, reports that he received information on the previous day that the "*Myra*" had entered the Port of Mossamedes on the 23rd February last, and that although her papers were correct, and she was ostensibly fitted out as a whaler, her size and other

circumstances seemed to render it extremely probable that she was really destined to be employed in the Slave Trade.

I have, &c.
(Signed) LYONS.

No. 300.

Lord Lyons to Earl Russell.—(Received July 17.)

My Lord,

Washington, July 4, 1864.

WITH reference to my despatch of the 20th ultimo, I have the honour to transmit to your Lordship a copy of a note from Mr. Seward, acknowledging the receipt of the note dated the 18th ultimo, in which, in obedience to your Lordship's orders, I communicated to him the suspicions which had been excited that an American brigantine called the "*Myra*" was intended to be employed in the Slave Trade.

I have, &c.
(Signed) LYONS.

Inclosure in No. 300.

Mr. Seward to Lord Lyons.

My Lord,

Department of State, Washington, June 30, 1864.

I HAVE the honour to acknowledge the receipt of your note of the 18th instant, in which, under instructions of Her Majesty's Principal Secretary of State for Foreign Affairs, you make known to this Government the suspicions entertained by Her Majesty's Commissioners at Loanda, respecting the American brigantine "*Myra*," which vessel had arrived at the port of Mossamedes on the 23rd of February last, under such circumstances as to induce a belief that she was intended to be employed in the Slave Trade. In reply, I have the honour to thank your Lordship for this information, and to inform you that I have communicated it to the Secretary of the Navy.

I have, &c.
(Signed) W. H. SEWARD.

No. 301.

Earl Russell to Lord Lyons.

My Lord,

Foreign Office, August 6, 1864.

I INCLOSE, for your Lordship's information, copies of a correspondence between the United States' Minister at this Court and myself, relative to the Cuban Slave Trade, and to the movements of the notorious Spanish slave-steamer "*Cicéron*."

I am, &c.
(Signed) RUSSELL.

Inclosure 1 in No. 301.

Mr. Adams to Earl Russell.

My Lord,

Legation of the United States, London, August 1, 1864.

I HAVE the honour to transmit a copy of a letter addressed to the Department of State at Washington by Mr. Savage, Vice-Consul-General of the United States at the Havana, which I have been directed to communicate to your Lordship for the information of Her Majesty's Government.

I have, &c.
(Signed) CHARLES FRANCIS ADAMS.

Inclosure 2 in No. 301.

*Mr. Savage to Mr. Seward.**United States' Consulate-General, Havana,
June 28, 1864.*

Sir,

I HAVE been assured that an expedition of from 1,200 to 1,500 African negroes was landed a few days since at La Teja, south coast of Cuba, from the same steamer that brought the other which was captured by Arguelles, at Colon, in November last. The steamer is the "*Cicéron*." That vessel, after landing her first expedition, which was obtained from the King of Dahomey, proceeded to Isle Mugerés, Yucatan, where she coaled; thence she went to Matamoros, where she took a cargo of cotton for Barcelona. From this last port she went to Marseilles to refit, and after being detained by the authorities for some time she went to sea, as it was believed, bound to the coast of Africa for slaves. Don Julian Zulueta is spoken of as the party interested, which is not by any means improbable.

I am confidentially informed that Her Britannic Majesty's Consul-General called the attention of the Captain-General to the report, which had also reached him, in a positive manner, and that a rather angry reply was returned, denying the correctness of the report. I have learned that the District Attorney at Cardenas reported to the Supreme Court here that such an expedition had landed, but he, like the British Consul, has thus far been unable to establish the fact.

It is also said that another expedition of about 600 was landed from a barque at a place called Lanzueilla, in the district of Sagua la Grande. I have the assurance that if this report has any foundation in fact, no complicity should be charged to the Lieutenant-Governor of the district, as he is an upright and honourable man.

I have, &c.

(Signed) THOS. SAVAGE, *Vice-Consul General.*

Inclosure 3 in No. 301.

Earl Russell to Mr. Adams.

Sir,

Foreign Office, August 6, 1864.

I HAVE the honour to acknowledge the receipt of your letter of the 1st, communicating to me, by direction of your Government, a copy of a despatch from the Vice-Consul-General of the United States at the Havana, containing information respecting the movements of the notorious Spanish slave-steamer "*Cicéron*."

This information, for which I beg to tender to you my best thanks, entirely coincides with that already received by Her Majesty's Government in so far at least as regards the movements of the "*Cicéron*" up to the time when she left Marseilles on the 11th of April last.

You will see, however, from the accompanying copy of a despatch received a few days since from Her Majesty's Consul at Bilbao,* that since leaving Marseilles the "*Cicéron*" is stated to have failed in several attempts to ship slaves from the African coast, and, according to reports from thence, a very fast steamer made attempts to ship slaves from the neighbourhood of Aghwey, but was prevented by the vigilance of the British cruisers. That steamer was believed to be the "*Cicéron*."

If, therefore, the report contained in the despatch from the Vice-Consul-General of the United States, to the effect that an expedition of from 1,200 to 1,500 Africans was recently landed from a steamer on the south-east coast of Cuba is correct, it would seem probable that some steamer other than the "*Cicéron*" is engaged in the Cuban Slave Traffic, and Her Majesty's Government would be glad to receive any further information on this point which the United States' Agents in Cuba may be able to furnish.

I avail myself of this opportunity to request that you will be good enough to inform me whether it is the intention of the United States' Government to send any vessels to cruise against slavers.

I am, &c.

(Signed) RUSSELL.

No. 302.

Earl Russell to Lord Lyons, December 7, 1864.

[See No. 21.]

APPENDIX.

BRAZIL. (*Consular*)—*Pernambuco.*

No. 1.

Acting Consul Austin to Earl Russell.—(Received April 5.)

My Lord,

Pernambuco, February 28, 1865.

I HAVE the honour to report to your Lordship that no negroes from the Coast of Africa have been introduced into this Consular district during the past year.

I have, &c.

(Signed) RICHARD AUSTIN.

BRAZIL. (*Consular*)—*Rio de Janeiro.*

No. 2.

Consul Hunt to Earl Russell.—(Received April 5.)

(Extract.)

Rio de Janeiro, March 10, 1865.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 28th of January last, addressed to Mr. Morgan, desiring him if possible to furnish your Lordship with a list of all negroes set free under an Imperial Decree signed in September last.

I have now the satisfaction to inclose herewith to your Lordship what appears to me to be an important paper, from which it will be seen that the number of emancipados of which the Government has an exact knowledge amounts to 8,673. Of this number 1,684 have died, 1,890 have received their certificates of emancipation, leaving therefore 5,099 in bondage to-day, notwithstanding the Decree of September 1864.

As these facts and figures are taken from public documents and the official registers, I apprehend that their exactitude is unquestionable, even by the Brazilians themselves.

Of the children and grandchildren of these emancipados who are held in slavery by various companies and private persons without the shadow of a right, an exact knowledge

of 114 only can be obtained at present, but there probably exist a great many more. I will endeavour to obtain an approximation of the precise number, and should I succeed I will lose no time in laying the particulars before your Lordship.

It is doubtless a matter for some surprise that five months after the promulgation of the Imperial Decree of the 24th of September last, so large a number of emancipados should still be in bondage, many of whom are employed in the public departments under the eyes of the supreme authorities of the State.

It appears to be clear that unless some further pressure be brought to bear on the officers charged with the execution of the Decree, that the majority of these emancipados and their offspring will die in slavery.

I expect to be able to lay before your Lordship by the next packet a nominal list of the emancipados still in bondage, together with a list of the public offices, private companies, and persons in whose power they now are.

Inclosure in No. 2.

Return of the Emancipados who have received Certificates of Freedom, of those who have died, and of the number still held in Slavery.

(Translation.)

THE Portuguese and English Mixed Commission established by the Treaty of the 22nd January, 1815, and the Additional Convention of the 28th July, 1817, was installed in the city of Rio de Janeiro on the 18th December, 1819. The first sitting for the adjudication of prizes took place on the 10th July, 1821, to take cognizance of the capture of the schooner "*Emilia*," effected by the English frigate "*Morgiana*," commanded by William Finlaison, having on board 352 Africans, which was judged good prize in the sitting of the 31st July, 1821.

This was the only trial before the Portuguese and English Mixed Commission, because, shortly after, the independence of Brazil was declared, and the Mixed Commission had to suspend its functions; there were even no prizes nor trials after the Portuguese Commissions were replaced by the Brazilian Commissioner, in conformity with the Treaties and Conventions.

The Convention of the 23rd of November, 1826, for the suppression of the African Slave Trade in the Empire, having been recently concluded between the King of England and the Emperor of Brazil, the Mixed Brazilian and English Commission began to act; but it was not until the 12th November, 1830, that the first trial took place of the African brig "*Oriental*," captured with 56 Africans on board, who were declared free by the Mixed Commission.

This Commission ceased to exist in 1844, and the jurisdiction of these cases was transferred to the ordinary magistracy of the country, until, by the Law of the 4th of September, 1850, the special Court (*Alçada*) of Marine Auditors was created for them, by which they were tried thenceforward, until the Slave Trade was entirely extinguished.

The following were the prizes and adjudications made during the jurisdiction of the two Mixed Commissions:—

1. The schooner " <i>Emilia</i> ," captured on the 14th of February, 1821, by the English frigate " <i>Morgiana</i> ," Commander William Finlaison, and found good prize on the 31st July of the same year by the Portuguese and English Mixed Commission established in Rio Janeiro, imported 352 Africans	352
2. The African brig " <i>Oriental</i> ," tried on the 12th November, 1830, imported 56 Africans	56
3. The barque " <i>Eliza</i> ," sentenced on the 10th December, 1830, brought in 50 Africans	50
4. The brig " <i>Estevão de Athaide</i> ," also found good prize, imported 50 Africans	50
5. The schooner " <i>Destemida</i> ," captured by the English frigate " <i>Druid</i> ," and sentenced on the 22nd January, 1831, brought 50 Africans	50
6. The schooner " <i>Duqueza de Bragança</i> ," captured by the English corvette " <i>Satellite</i> ," and sentenced on the 21st July, 1834, brought 249 Africans	249
7. The patacho " <i>Santo Antonio</i> ," captured by the Brazilian war-schooner " <i>Lebre</i> ," and judged on the 4th September, 1834, brought 91 Africans	91
8. The brigantine " <i>Rio da Prata</i> ," captured by the English corvette " <i>Raleigh</i> ," and judged on the 6th February, 1835, brought 240 Africans	240
9. The patacho " <i>Continente</i> ," captured by the Brazilian war-schooner " <i>Dous de Março</i> ," and sentenced on the 28th July, 1835, brought 60 Africans	60
10. The schooner " <i>Angelica</i> ," captured by the Brazilian war-schooner " <i>Dous de Março</i> ," and sentenced on the 17th June, 1835, brought 317 Africans	317
11. The brigantine " <i>Amizade Feliz</i> ," captured by the Brazilian war-brig " <i>Nigar</i> ," and adjudicated on the 13th May, 1835, imported 33 Africans	33

12. The smack " <i>Novo Destino</i> ," captured by the Brazilian war-brig " <i>Imperial Pedro</i> ," and sentenced on the 11th September, 1835, brought 2 Africans	2
13. The brig " <i>Orion</i> ," captured by the English corvette " <i>Satellite</i> ," and judged on the 18th January, 1836, brought 243 Africans	243
14. The schooner " <i>Flor de Loanda</i> ," captured by the English corvette " <i>Rover</i> ," adjudicated on the 15th May, 1838, brought 289 Africans	289
15. The patacho " <i>Cezar</i> ," captured by the English corvette " <i>Rover</i> ," and judged the 26th May, 1838, brought 202 Africans	202
16. The schooner-brig " <i>Brilhante</i> ," captured by the English war-brig " <i>Wizard</i> ," and sentenced the 25th June, 1838, brought 245 Africans	245
17. The schooner-brig " <i>Diligente</i> ," captured by the English corvette " <i>Electra</i> ," and sentenced the 10th January, 1839, brought 246 Africans	246
18. The schooner-brig " <i>Feliz</i> ," captured by the English war-brig " <i>Wizard</i> ," and sentenced the 30th January, 1839, brought 229 Africans	229
19. The brig " <i>Carolina</i> ," captured by the English corvette " <i>Electra</i> ," and judged on the 16th April, 1839, brought 211 Africans	211
20. The patacho " <i>Especulador</i> ," captured by the English corvette " <i>Electra</i> ," and sentenced the 4th May, 1839, brought 268 Africans	268
21. The brig " <i>Ganges</i> ," captured by the English war-brig " <i>Grecian</i> ," and sentenced on the 31st May, 1839, brought 386 Africans	386
22. The brig " <i>Leal</i> ," captured by the English war-brig " <i>Grecian</i> ," and sentenced on the 17th June, 1839, brought 319 Africans	319
23. The patacho " <i>Paquete de Benguela</i> ," captured by the English war-brig " <i>Wizard</i> ," and sentenced the 28th September, 1840, brought 274 Africans	274
24. The brig " <i>Asseiceira</i> ," captured by the English war-brig " <i>Fawn</i> ," and sentenced the 8th March, 1841, brought 323 Africans	323
Total number of Africans brought in and declared free by the two Mixed Commissions ..	4,785

Adjudications made by the Municipal Court of the city from 1844 to 1849, after the abolition of the Mixed Commission :—

1. Patacho " <i>Subtil</i> ," having on board 425 Africans, who were declared free	425
2. Smack " <i>Heroína</i> ," and " <i>Paquete de Itagoahy</i> ," with 33 Africans	33
	458

After the creation of the special jurisdiction of the Marine Auditors the following adjudications took place :—

1. Yacht " <i>Rolha</i> ," captured by the Brazilian steamer " <i>Urania</i> ," on the 4th October, 1850, in Macahé, and found good prize by the Marine Auditors on the 17th of the same month and year, which decision was confirmed by the Council of State of the 1st March, 1851, brought 258 Africans	258
2. The French barque " <i>Tourville</i> " brought 4 Africans, who were judged free on the 3rd of December, 1850	4
3. Africans already landed, apprehended at Manquinhos, a township of St. João da Barra, province of Rio Janeiro, judged on the 22nd May, 1851, and decision confirmed by the Council of State on the 5th December of the same year, 21	21
4. Palhabote " <i>Joven Maria</i> " captured by the Brazilian steamer " <i>Urania</i> ," the 29th December, 1850, adjudicated on the 27th of January, and the decision confirmed by the Council of State of the 18th October of the same year, brought 290 Africans	290
5. Brig-barque " <i>Trenton</i> ," captured on the 23rd November, 1850, adjudicated on the 2nd of May, 1851, the decision confirmed by the Council of State on the 20th March, 1852, had on board 1 African, who was declared free	1
6. Africans apprehended in Marambaia the 1st February, 1851, adjudicated on the 18th of March, and the decision confirmed by the Council of State on the 30th of July of the same year, 160	160
7. Also apprehended in Marambaia, in February 1851, adjudicated on the 20th March, and decision confirmed by the Council of State on the 5th November of the same year, 459	459
8. Apprehended in Guissaman, from the barque " <i>Tentativa</i> ," on the 16th of February, 1851, adjudicated on the 17th April, and decision confirmed by the Council of State of the 2nd of July of the same year, 485 Africans	485
9. Apprehended in Itapemerim, in the province of Espírito Santo, by the Delegate of Police, on the 30th of April, 1851, adjudicated on the 20th of June of the same year, and the decision confirmed by the Council of State on the 20th March, 1852, 138 Africans	138
10. Apprehended in Manguinos, township of San João da Barra, in the province of Rio de Janeiro, on the 30th April, 1851, adjudicated on the 7th January, 1852, and decision confirmed by the Council of State on the 17th July of the same year, 344 Africans	344
11. Apprehended in various places, brought to the capital, and given up to the Brazilian authorities to be properly dealt with, 59 Africans	59
12. Apprehended in Jurujuba, township of Nictherohy, and brought to the capital for the same purpose, 70 Africans	70
13. Apprehended on various occasions and in various places of the bay of Rio Janeiro, 110 Africans	110
14. Sent from the province of Alagoas, where they were apprehended, 71 Africans	71
15. Arrived from Santos, province of San Paulo, to be adjudicated in the capital, having been conveyed in the steamer " <i>D. Affonso</i> ," 480 Africans	480

CLASS B.

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16. Apprehended in Bananal and Bracuhy, province of San Paulo and Rio Janeiro, 79 Africans.. .. .	79
17. Sent from Bahia to the capital, 5 Africans	5
18. Apprehended in Bahia in the brig " <i>Relampago</i> ," the barque " <i>Ultimação</i> ," and palhabote " <i>Marie Smith</i> ," and adjudicated there	
N.B. There are also in service in that province, without holding a ticket of emancipation, 396 Africans	396
Total number of Africans brought into the country and adjudicated according to the Law of the 4th September, 1856, 3,430.	3,430

N.B. These do not include such as were apprehended and adjudicated in the Province of Pernambuco, and in the other provinces of the North Coast so far as Pará.

Adding together the three groups of Africans brought in and judged free by the Mixed Commissions and by the Brazilian authorities, the following is the result:—

Africans adjudicated by the Mixed Commissions up to the year 1849	4,785
Africans adjudicated by the ordinary Courts from 1844 to 1849	458
Africans apprehended and adjudicated according to the Law of 4th September, 1850	3,430
	8,673
From this number those must be subtracted who have died and have been registered up to the present time, the number amounting to 1,684 Africans	1,684
Those likewise must be subtracted who have already received their papers of emancipation, the number of whom is 1,890, up to the end of the said year 1864, in the capital and province of Rio Janeiro	1,890
Total, died and emancipated	3,574

N.B. It must be observed that the amount of mortality to the present date must have been considerably higher; but the imperfect state of the official registers, and the obscurity prevailing over all the notices touching free Africans, will not allow us at present to obtain it more exactly.

In the meantime, by subtracting this number, 3,574, of those dead and emancipated, according to the official registers, from the whole number of Africans imported, which is 8,673, it must be concluded that 5,099 still remain to be emancipated, being in servitude, saving the errors of the above-mentioned registers.

In the number of 1,890 Africans who were emancipated by the Government in the capital, the 74 are included which belonged to the naval establishment of Itapura, in respect of whom the most urgent representations have been recently made by the English Legation in Rio de Janeiro; but it is not yet certain that these Africans have really got their letters of emancipation, and that they are yet in the enjoyment of freedom. Among those Africans there were children and grandchildren. The same is to be noticed in respect of those who were assigned to the service of the Mining Company of Matto Grosso, a private undertaking, the number of whom amounts to about 100 or more.

Among the Africans already emancipated the first 750 who were or had been emancipated up to last year, 1864, may be divided as in the following list, in regard to the different years of their being imported into this country:—

1834	40	1844	3
1835	99	1845	47
1836	43	1846	1
1837	9	1847	7
1838	70	1848	24
1839	194	1849	5
1840	37	1850	18
1841	46	1851	9
1843	2	Without declaration	96

The remaining 1,140, who have been emancipated subsequently to the Decree of the 24th September, 1864, have not yet been classified according to the years of their importation into Brazil. But of this first group of those emancipated up to September of last year, only 543 are of the number of those who were declared free by the Brazilian-English Mixed Commission in Rio Janeiro from the year 1834 to 1844. The others are of the number of those who were apprehended and adjudicated by the Brazilian authorities of 1844 and subsequently.

As to the various ships which brought those 543 Africans already emancipated, of those who were declared free by the Brazilian-English Mixed Commission, they are divided in the manner following:—

HOUSE OF CORRECTION OF THE CAPITAL.

Result of the various cargoes deposited there ..	58	Brought by the brig "Diligente" ..	22
Brought by the patacho "Continente" ..	32	" brig "Carolina" ..	47
" brig "Rio da Prata" ..	22	" patacho "Especulador" ..	28
" schooner "Angelica" } ..	45	" brig "Ganges" ..	40
" brig "Amizade Feliz" } ..	36	" brig "Leal" ..	34
" brig "Orion" ..	31	" patacho "Paquete de Benguella ..	41
" patacho "Cezar" ..	31	" brig "Asseiceira" ..	48
" brig "Brilhante" ..	31		
" brig "Feliz" ..	28		543

The Africans still remaining to be emancipated, whose number, as shown above, should amount to 5,099, after duly subtracting the dead, and those who have been up to the present time emancipated, and excepting the errors of the official entries relative to them,—exist in the country, either distributed in various public departments and services, or given to private concessionaries, who have for a long time had their services as slaves, and who pay irregularly to the Brazilian Treasury a small salary for those services. Many of those Africans who are in possession of private persons have already had children and grandchildren. Even thus, comparing the number of those granted to private persons and of those shown to be in the service of public departments, with the number of those who ought to be really in existence, a considerable deficiency is noticed of the former, who probably will have been carried away ("extraviados"), or who were not entered, nor any note taken of them when brought into the country.

Those now existing, as it appears from public documents, are as follows:—

House of Correction of the Capital and annexed Works	—	Military and Central School	10
Private Concessionaries who pay a salary to the Government	—	Electric Telegraphs	13
Arsenal of war of Rio Janeiro and other departments and services thereon depending ..	35	Public Library	2
Marine arsenal of the capital and its dependencies	43	College of Pedro II.	18
Police corps in the capital	15	Hospice of Pedro II.	42
Public works of the capital (also nine children)	39	Lazaretto	14
Municipal Chamber of Rio Janeiro	14	Institute of Blind Children	8
Public lighting	18	Institute of Deaf and Dumb	4
Casa da Misericordia of Rio Janeiro	—	Public Parade	7
Gunpowder Manufactory	—	Casa da Misericordia of Campos	7
Iron Works of Ipanema	—	Casa da Misericordia of Ilha Grande	4
Province of Bahia	—	Public Works of the Province of Rio Janeiro ..	61
Province of Minas	117	Third Order of Carmo, in capital	9
Pyrotechnic Laboratory of Campinho	14	" " Bom Jesus "	13
Astronomical Observatory	2	" " San Francisco de Paula	8
Military Hospital	9	Company of "Magé and Sapucaia"	27
		" " Union and Industria"	48
		" the Mangaratiba Road	20
		Road from Estrella and Petropolis	27

Besides those mentioned here, there are also some others the research of whom is more difficult, and in regard to whom there are not at present sufficient data to allow of their entering into the general statistical accounts.

Lists, with the names of all the groups of Africans existing in the places above mentioned, can be obtained if required, each of them accompanied by the date of importation into Brazil.

N.B. The Africans given to the service of the Company of Magé and Sapucaia have already produced fourteen children, who are now in the service of the said Company.

No. 3.

Consul Hunt to Earl Russell.—(Received April 19.)

My Lord,

Rio de Janeiro, March 22, 1865.

WITH reference to my despatch of the 10th instant, I have now the honour to transmit herewith to your Lordship, a nominal return of the Emancipados still held in bondage in various Departments of the State, and by private Companies and persons.

Your Lordship will perceive from this return, that out of the gross number of 5,099 of which the Government should possess an exact knowledge, only 2,565 can now be accounted for. The remainder, it is suggested, have been stolen, have died, and no return has been made of their deaths, and some few may have received certificates of freedom.

The number liberated since the promulgation of the Imperial Decree of September last, amounts to 565 only.

It is to be feared that of this number, a large proportion were aged, and of little value as labourers.

Up to this date no effective steps appear to have been taken to liberate even those Emancipados with which all classes of Brazilian officials must be constantly brought in contact. It might reasonably have been expected that an Imperial Decree would not be permitted to become a dead letter, at least as far as the public Departments were concerned.

I have, &c.

(Signed) G. LENNON HUNT.

Inclosure in No. 3.

LIST of Private Individuals ("Concessionnaires") who pay Wages to the Treasury for the Hire of Free Africans.

No.	Name of Concessionnaire.	Name of African.
1	Antonio Bandeira de Gouvei	Agapito.
2	Albino José de Carvalho	Candido.
3	D. Anna Maria Braga	Felicidade.
4	Antonio Alves de Azevedo	Damazo.
5	Anselmo Alves Branco Moniz Barreto	Agostinho.
6	Idem	Anastacio.
7	Idem	Marianna.
8	Antonio Rodrigues da Cunha	Miguel.
9	Idem	Valentine.
10	Idem	Francisca.
11	Anna Joaquina de Oliveira e Silva	Palgueria.
12	Anna Ephigenia da Fonseca Muzi	Porfírio.
13	Antonio Peixoto da Silveira	Manoel.
14	Antonio Pereira de Andrade	Roza.
15	Antonio Ferreira dos Santos Azevedo	Sabino.
16	D. Anna Jezuina de Castro	Manoel.
17	Antonio Pereira Barreto Pedroso	Jacob.
18	Idem	Firmino.
19	D. Anna Dorothea Glz. de Britto	Pantaleão.
20	Idem	Antonio.
21	Antonio Luiz de Sa. Peixoto	Ovidio.
22	D. Anna Carolina Florim Castroe Silva	Braz.
23	Antonio Henrique de Miranda Rego	Firmino.
24	D. Anna Joaquina de Miranda	Aurelio.
25	Antonio José da Silva	Geraldo.
26	D. Anna Maria Honoria	Dionysin.
27	Antonio Jeronimio dos Santos	Hermenegildo.
28	D. Anna Maria Honoria	Damazia.
29	Antonio Jeronimio dos Santos	Amancio.
30	Idem	Cazimiro.
31	Idem	Ismael.
32	Antonio Manoel Miz. de Britto	Virgilio.
33	Idem	Xavier.
34	Idem	Elizario.
35	Augusto Parano	Profirio.
36	D. Anna Bernardina de Oliveira Malheiro	Dionysia.
37	Antonio José do Amaral	Ramiro.
38	Amaro Benedito da Silveira	Raphael.
39	Idem	Braz.
40	Idem	Cyriaco.
41	Affonso Cordeiro de Negr. Lobato	Sergio.
42	D. Anna Miguelina de Mattos	Carolina.
43	D. Antonio de Saldanha da Gama	Thimotheo.
44	Idem	Conrado.
45	Idem	Bernardo.
46	Idem	Jacob.
47	Idem	Leonardo.
48	Antonio Luiz de Bella	Appolonia.
49	Antonio Carlos da Veiga	Raymundo.
50	Idem	Izidoro.
51	Antonio José Monteiro de Barros	Izidoro.
52	Idem	Anselmo.
53	Adriano Augusto de Almeida e Albuquerque	Epifanio.
54	Antonio José Pereira	Tiburcio.
55	Antonio Germano da Costa	Guiteria.
56	Agostinho Correa de Azevedo	Possidonio.
57	Albino José Gomes	Fernando.
58	Anna Roza de Conceição	Gabriela.
59	D. Adelaide Duguehroda Meyer	Fabiana.

No.	Name of Concessionnaire.	Name of African.
60	Antonio Ferreira de Andrade ..	Clava.
61	Antonio Martins da Costa Braga ..	Ernestina.
62	Idem ..	Silveira.
63	Angelo Custodio Correia ..	Ovidio.
64	Antonio José Barbosa da Silva ..	Mamede.
65	André José de Campos Tupinambá ..	Bernardina.
66	Antonio José Gonçalves Fontes ..	Romão.
67	Agostinho dos Santos Collares ..	Geraldo.
68	D. Antonia Augusta de Ornellas Barroso ..	Paulino.
69	D. Anna Bernardina de Almeida ..	Clara.
70	D. Anna Isabel ..	Amelia.
71	D. Archangela Maria de Jesus ..	Euzebia.
72	D. Anna Amelia ..	Malvina.
73	D. Anna Isabel de Oliveira Velho Tota ..	Pulgueria.
74	Antonio Moniz Alves Branco ..	Sebastiana.
75	D. Anna Vieira do Rozario ..	Mathilde.
76	D. Anna Soares Texeira de Gouveia ..	Narciza.
77	D. Anna Perpetua de Carvalho ..	Faustina.
78	Idem ..	Januaria.
79	Angelo de Arujo Landin ..	Guisino.
80	Dr. Antonio Ferreira França ..	Malaquias.
81	Benjamin Dupla ..	Romão.
82	Benildo Mines de Souza Fragoza ..	Euridice.
83	Benildo de Sá Cherem ..	Rita.
84	Idem ..	Tiburcio.
85	Bernardo José de Figueiredo ..	Porfirio.
86	Idem ..	Galdino.
87	Idem ..	Leonico.
88	Idem ..	Tiburcio.
89	Bernardo Belizaro Soares de Souza ..	Joaquim.
90	Idem ..	Antonio.
91	Braz Fernandes Carneiro Vianna ..	Margaride.
92	Bernardo Baptista Brazeleiro ..	Bazilia.
93	Braz Francisco Torres ..	Autão.
94	Balthazar Antonio de Gouveia Cabral ..	Jorge.
95	Bernardo José Serrão ..	Peregrino.
96	Bernardo Joaquim de Souza ..	Polycarpo.
97	Bazilio José Marinho ..	Camillo.
98	Barão de Lomonossoff ..	Domiciano.
99	Barrão de Villa Bella ..	Andreza.
100	Benedito de Almeida Torres ..	Euphrazio.
101	Idem ..	Felippe.
102	Idem ..	Catharina.
103	Idem ..	Deziderio.
104	Idem ..	Francisco.
105	Idem ..	Leoncio.
106	Idem ..	Leovigilao.
107	Idem ..	Manoel.
108	Idem ..	Marcolino.
109	D. Bernardina Maria Borges ..	Fernande.
110	Idem ..	Carolina.
111	Benjamin Carneiro de Campos ..	Martiniano.
112	Idem ..	Melicia.
113	Belarmina Roza da Silva Oliveira ..	Apolinariz.
114	Idem ..	Bazilia.
115	Clara Narcisa da Motta Costa ..	Adriano.
116	Caetano José Barbosa do Canto Brum ..	Candido.
117	Idem ..	Antonio.
118	Idem ..	Felippe.
119	Crispim José dos Santos Moreira ..	Felippe.
120	Idem ..	Calixto.
121	D. Candida Carlota de Azevede e Irmão ..	Romão.
122	Idem ..	Jozefina.
123	Caetano da Silva Maia ..	Nicolau.
124	Caetano da Fonseca Silveira e Silva ..	Apolinario.
125	Idem ..	Felix.
126	Idem ..	Cazimiro.
127	Caetano Luiz Machado ..	Thiago.
128	Cypriana Maria da Cunha ..	Juliana.
129	Carlos Antonio Cordeiro ..	Isidora.
130	Caetano Rousseline ..	Ezequiel.
131	Candida Maria de Almeida ..	Rufina.
132	Candido Angelo de Vasconcellos ..	Jovita.
133	D. Carolina Fortunata de Almeida e Silva ..	Saturnina.
134	Condessa de Ameral ..	Margerida.
135	Candido José Gonsalves ..	José.
136	Idem ..	João.
137	D. Catharina de Montauray ..	Militão.

No.	Name of Concessionnaire.	Name of African.
138	Caetana Alberto Soares ..	Margarida.
139	D. Carlota Emilia de Sampaio ..	Ludgeria.
140	D. Clara Candida Goularte ..	Pulgueria.
141	D. Carlota Emilia Machado ..	Escolastica.
142	D. Caetana Maria Peitana ..	Ambrozio.
143	Idem ..	Demetria.
144	D. Carolina Amalia Preciosa de Carvalho ..	Maximo.
145	Carlos José Carneiro de Mendonça ..	Eva.
146	Candido José de Araujo Vianna ..	Libanio.
147	Idem ..	Alexandrino.
148	C. J. Witlep ..	Minervina.
149	Custodio José de Magalhães Bastos ..	Agostinha.
150	Idem ..	Candida.
151	D. Candida Roza de Jezus and Irma ..	Josefina.
152	D. Carlota Leopoldina Gomes de Mattos ..	Leonor.
153	D. Carolina Amelia Laranja d'Oliveira ..	Amando.
154	D. Dioguina Maria de Vasconcellos ..	André.
155	Idem ..	Antonio.
156	Domingos José Pereira Maltez ..	Crispira.
157	Idem ..	Aniceto.
158	Diogo Soares da Silva de Bivar ..	Bernabé.
159	Domingos Marcondes de Andrade ..	Jacintho.
160	Dezoderio Manoel da Costa ..	Cyriaco.
161	Diocleciano Augusto Cezar de Amarel ..	Theophilo.
162	Idem ..	Martinho.
163	Idem ..	Satyro.
164	Domingos Mesmer ..	Augusto.
165	Domingos José Gomes Ferreira ..	Pedro.
166	Euzebio Antonio do Soccorro ..	Procopia.
167	Ernesto Frederico de Werner Magalhães ..	Candido.
168	Idem ..	Gregorio.
169	D. Esmeraldina Carolina da Silva ..	Firmo.
170	D. Eugenia Perpetua da Veiga ..	Gertrudes.
171	Eustaquio Adolpho de Mello Mattos ..	Dyonisio.
172	D. Eugenia Maria do Carmo ..	Mafalda.
173	Eugenio Aprigio da Veiga ..	Brigida.
174	Emilia Adelina Guimarães ..	Maria.
175	Ernesto Alzs. Braves Moniz Barreto ..	Martinha.
176	D. Emilia Duquelitrada Meyer ..	Balbina.
177	Eleuterio José Velho Bezena ..	Elizario.
178	Eulalia Bernardina ..	Norberta.
179	Eduardo Carneiro de Mendonça ..	Acacio.
180	Idem ..	Alidio.
181	Idem ..	Bertholdo.
182	Idem ..	Domingos.
183	Idem ..	Marcello.
184		Ambrozio.
185	D. Ernestina Angelica de Almeida ..	Angela.
186	Idem ..	Bonafacio.
187	D. Euphemia Maria Pinto ..	Leonidia.
188	D. Euphrazia Guilhermina e Sze. Motta ..	José.
189	D. Emilia Carlota de Sampaio ..	Anastacio.
190	D. Escolastica Delfina Pereira ..	Helena.
191	D. Esmeralda Godinho de Oliveira Valle ..	Candido.
192	Francisco Thomas de Figueredo Neves ..	Manoel.
193	Francisco Amado de Castilho Costa ..	Pedro.
194	Idem ..	Luiz.
195	Idem ..	Izidoro.
196	Idem ..	Joaquina.
197	Francisco Pedro Arbues Silva Moniz e Abrem ..	Ricardo.
198	Idem ..	Roza.
199	Francisca Roza de Jezus ..	Eufrazia.
200	Frederico Carneiro de Campos ..	Julio.
201	Francisco Xavier da Costa Aguiar ..	Agapito.
202	Idem ..	Benedito.
203	Francisco Clemente Pinto ..	Cecilia.
204	Fasuto Joaquim Velho Bezerra ..	Fabiano.
205	Firmino Gonçalves Dias ..	Fernando.
206	Idem ..	Jorge.
207	Felippe Rodrigues ..	Bento.
208	Idem ..	Margarida.
209	Francisco de Paula Menezes ..	Polycarpo.
210	Idem ..	Manoel.
211	Francisco José Francini ..	Emilia.
212	Francisco José Correia ..	Emiliana.
213	Francisco José de Figueredo ..	Marcos.
214	Francisco José da Cunha Silveira ..	Boaventura.
215	Francisco de Souza Martino ..	Alipio.

No.	Name of Concessionnaire.	Name of African.
216	Francisco Joaquim Gomes Ribeiro ..	Cornelio.
217	Francisco Xavier Calmon da Silva Cabral ..	Fulgenico.
218	Idem ..	Firmiano.
219	Francisco do Nascimento Almeida Gonsaga ..	Boaventura.
220	Francisco Barbozo Xavier de Britto ..	Thaden.
221	Firmiana Maria Soares ..	Felismino.
222	Felizardo Pinheiro de Campos ..	Simiania.
223	Idem ..	Felizarda.
224	Francisco de Paula Ferreira Lopez ..	Antenor.
225	Idem ..	Albino.
226	Francisco José Pereira ..	Bento.
227	Francisco Antonio de Silva Pinheiro ..	Constancio.
228	Francisco de Paula da Costa Pimentel ..	Placido.
229	Idem ..	Dyonisia.
230	Francisco de Assis Carvalho ..	Quirino.
231	Francisco José de Oliveira ..	Michaela.
232	Florianio Joaquim dos Santos ..	Joanna.
233	Francisco Antonio de Azevedo Magalhães ..	Ludovinio.
234	Francisco Caetano Martins ..	Apolinaria.
235	Feliciano Firmo Monteiro ..	Candido.
236	Idem ..	Felicio.
237	Francisca Roza de Jezus ..	Angela.
238	Frederonide da Silva Leite ..	Beatriz.
239	Francisco Xavier Continho ..	Fulgino.
240	Francisco Picot ..	Camillo.
241	Francisco Ribeiro Moreira ..	Esmeria.
242	Francisco Augusto Velho da Motta ..	Claudio.
243	Idem ..	Vicencia.
244	Idem ..	Satyro.
245	Francisco Xavier da Costa ..	Amelia.
246	Francisco José dos Reis Alpomi ..	Gemimario.
247	Idem ..	Victorio.
248	Francisco de Ornellas Tellio Barreto de Menezes ..	Fausta.
249	Idem ..	Cassiana.
250	Idem ..	Camilla.
251	Feliciano José dos Santos Maia ..	Rodolpho.
252	D. Francisca Justiniana de Serpa Pereira ..	Joaquina.
253	Francisco José Affonso ..	Tarquin.
254	Idem ..	Odorico.
255	Francisco Alves de Azevedo ..	Elias.
256	Idem ..	Ricardo.
257	Idem ..	Juvenio.
258	Idem ..	Lucas.
259	Francisco de Assis Lopes Mendes Ribeiro ..	Gaspar.
260	Idem ..	Sabino.
261	Francisco Martins Vianna ..	Theofilo.
262	Francisco de Paula Britto ..	Agostinho.
263	Idem ..	Calaco.
264	Francisco Dantas de Vasconcellos ..	João.
265	Francisca Marcelina dos Santos Mattos ..	Maria.
266	Idem ..	Ignéz.
267	Francisca José Ferreira Baptista ..	Ernesto.
268	Idem ..	Galdino.
269	Francisca Joaquina de Almeida Costa ..	Gaspar.
270	Idem ..	Gandelio.
271	Idem ..	Escolastica.
272	Idem ..	Gonzaga.
273	Francisco Ignacio de Carvalho Moreira ..	Justo.
274	Francisco José de Carvalho ..	Miguel.
275	Francisco de Paula Roiz. Leitão ..	Nuno.
276	Francisco Roza de Almeida ..	Joaquina.
277	Francisco Xavier Bontempo ..	Congundes.
278	Idem ..	Jacques.
279	Idem ..	Adelpho.
280	Firmino José Dias ..	Eleuterio.
281	Felicidade Perpetua da Costa ..	Hilario.
282	Francisco de Mello Franco ..	Lizarda.
283	Fernando Roiz. Silva ..	Florencio.
284	Idem ..	Maria.
285	Francisca Xavier de Aranje Silva ..	Aguilino.
286	Genoveva Maria da Conceição ..	Maria.
287	G. Constante ..	José.
288	Gabriel Pinto de Almeida ..	Fabio.
289	Idem ..	Hypolito.
290	Idem ..	Gallo.
291	Gregorio Joaquim Gonsalves ..	Benedito.
292	Gaspar de Almeida Marião do Prado ..	Aprigio.
293	Idem ..	André.

No.	Name of Concessionnaire.	Name of African.
294	Gaspar de Almeida Marião do Prado ..	Joanna.
295	Idem	Honoria.
296	Gertrudes Pinheiro	Narcizo.
297	Guilherme da Cruz Mello	Agapito.
298	Gregorio de Castro Moraes e Souza ..	Germano.
299	Idem	Antonio.
300	Idem	Margarida.
301	Idem	Tiburcio.
302	Idem	Thereza.
303	Gabriella Haramita Junqueira ..	José.
304	D. Genaro Merolla (Heirs of) ..	Climeria.
305	Gregorio Ferreira de Almeida ..	Felippe.
306	Idem	Marcelino.
307	Gabriel Frederico Ribeiro de Andrade ..	Hygino.
308	Idem	Herculano.
309	Idem	Joaquim.
310	Idem	Caetano.
311	Idem	Domingas.
312	Idem	Prima.
313	Guilherme Crispiniano de Souza Motta ..	Ozorio.
314	Gertrudes Thereza da Cunha Britto ..	Guintiliano.
315	Hermenegildo José Cardozo ..	Evaristo.
316	Hermenegildo Duarte Monteiro ..	Beatriz.
317	Honoria Jozefa de Simas ..	Liberato.
318	Henrique José de Freitas ..	Miguel.
319	Henriqueta Esmeria Nabuco Carneiro ..	Justino.
320	Idem	Calixto.
321	Idem	Pedro.
322	Idem	Guintiliano.
323	Idem	Miguel.
324	Hilario Mariano da Silva ..	Camilla.
325	Hospital dos Terceiros do Carmo ..	Benevenuto.
326	Henrique Izidoro Xavier de Britto ..	Estanislaw.
327	Henrique Duarte Rodrigues ..	Policarpa.
328	Idem	Zeferino.
329	Henrique José Lopez ..	Valeriano.
330	Henrique Porchat ..	Thiago.
331	Henriqueta Benedita Laranja d'Oliveira ..	Heleodoro.
332	Helena da Cunha Sampaio ..	Abdon.
333	Hermenegildo da Cunha Ribeiro Feijó ..	Amalia.
334	Henriqueta Amalia Borges Palhai ..	Epifania.
335	Henriqueta Antonia da Silveira ..	Rozaura.
336	Henrique José Contros. de Figueroa Nabuco ..	Sabina.
337	Ignacio de Souza Leitão ..	Emiliana.
338	Ignacio Mauricio de Souza Soares ..	Prisca.
339	Izabel Ornellas de Oliveira ..	Carlota.
340	Idem	Caetano.
341	Ignacio Manoel Alvarez de Azevedo ..	Constantino.
342	Izabel Maria Migone ..	Bonifacia.
343	Ignacio Joaquim Luiz de Villanova ..	Manoel.
344	Idem	Balbino.
345	Ignaz Ferreira da Silva ..	Emilia.
346	Izabel Geralda do Sacramento ..	Ernesto.
347	Ignacio Eugenio Tavares ..	Ezequiel.
348	Idem	Hermenegildo.
349	Ignacio Antonio de Souza Amaral ..	Henrique.
350	Idem	Gabriel.
351	Idem	Benedito.
352	Idem	Eulalia.
353	Ignacio Francisco Maia ..	Nazianzeno.
354	Innocencio da Rocha Galvão ..	Domiciano.
355	Idem	Tiburcio.
356	Ignacio Maria da Assumpção ..	Roza.
357	Dr. José Francisco Frougeth ..	Gregorio.
358	Idem	Theodoro.
359	Idem	Hygino.
360	Idem	Manoel.
361	Idem	Carolina.
362	Idem	Apolinario.
363	Idem	Umbelina.
364	José Saraiva de Carvalho ..	Severiano.
365	Idem	Antonio.
366	George Jacks. ..	Feliciano.
367	Idem	Epifanio.
368	José Candido da Silva ..	Maria.
369	José Tiburcio Carneiro de Campos ..	Custodia.
370	Idem	Luiza.
371	Idem	Adão.

No.	Name of Concessionnaire.	Name of African.
372	José Tiburcio Carneiro de Campos ..	Camillo.
373	José Rodrigues de Britto ..	Alexandre.
374	Januario Victorino da França ..	Graciana.
375	João Netto de Carvalho ..	Mauricia.
376	José Antonio dos Santos Xavier ..	Boaventura.
377	João Machado Cardoso ..	Matheus.
378	Idem ..	Raphael.
379	João Joaquim Pestana ..	Nicolau.
380	José Alves Pinto Campello ..	Theofilo.
381	Idem ..	Luiza.
382	José Pereira da Costa Motta ..	Fidelis.
383	José dos Santos Bandeira (Junior) ..	Angelo.
384	Idem ..	Bonifacio.
385	José Francisco Bernardes ..	Izidoro.
386	Idem ..	Honarato.
387	José Luiz da Motta ..	Regina.
388	João Ferreira Dias de Miranda ..	Nicomedes.
389	Joaquim Leite de Souza Bastos ..	Christina.
390	Joaquim José da Rocha e Silva ..	Hilario.
391	João José Cezarino da Roza (Junior) ..	Tristão.
392	José Caetano de Andrade Pinto ..	Virissima.
393	Baron do Rio Verde ..	Adriano.
394	Idem ..	Apolinaria.
395	Idem ..	Albino.
396	João Baptista de Magalhães ..	Luiz.
397	João Fernandes da Costa ..	Albano.
398	José Gervazio de Queiroz Carreira ..	Fabricio.
399	Idem ..	Mafalda.
400	Idem ..	Anna.
401	J. V. Williams ..	Onofre.
402	Idem ..	Silveiria.
403	Dr. Joaquim Candido Soares de Meirelles ..	Prudente.
404	Idem ..	Guirino.
405	Idem ..	Tiburcio.
406	José Bento Leite Ferreira de Mello ..	Lauriana.
407	D. Jezuína Maria da Conceição ..	Carolina.
408	João Jacques da Silva Lisboa ..	Mathilde.
409	José Pinto Lisboa ..	Helena.
410	José Joaquim da Noboeza ..	Candida.
411	Jozino do Nascimento Silva ..	Euphemia.
412	Joaquim Ignacio da Costa Miranda ..	Mafalda.
413	José Antonio de Sequeira e Silva ..	Justino.
414	João Rodrigues da Silva ..	Prudencia.
415	Jacintho Rodrigues Pereira Reis ..	Antonia.
416	Idem ..	Sebastiana.
417	Idem ..	Antonio.
418	Idem ..	Aprigio.
419	Idem ..	Caetano.
420	José Carneiro Dias Guimarães ..	Pantelão.
421	José Manoel da Costa Barros ..	João.
422	Joaquina Maria Pereira de Aquino ..	Luiz.
423	José Bento Vieira ..	Felisberto.
424	João Ignacio de Souza Valente ..	Apolinario.
425	Joaquim José de Arango ..	Michaela.
426	Joanna Maria da Roza ..	Antonio.
427	Dr. João Ignacio Silveira da Motta ..	Zacharias.
428	Idem ..	Herculano.
429	José Cardozo de Menezes ..	João.
430	Idem ..	Cezar.
431	Idem ..	Izabel.
432	Idem ..	Martha.
433	D. Joaquina Soares Teixeira de Gouveia ..	Martha.
434	José Pedro Dias de Carvalho ..	Antonio.
435	José Joaquim da Rocha ..	Zacharias.
436	Joaquim Francisco de Souza Navarro ..	Cazimiro.
437	Idem ..	Crispiniano.
438	José Joaquim da Silva ..	Franklin.
439	José Rodrigues de Amorim ..	Valentim.
440	João Luiz Bezerra Cavalcante ..	Nero.
441	José Alcebiades Carneiro ..	Cyrino.
442	João Fernandes Silva ..	Maria.
443	José Maria da Gama Sequeira e Mello ..	Joaquina.
444	José Ribeiro Sarmento ..	Guido.
445	José Francisco Sigana ..	Gabriel.
446	Idem ..	Balbino.
447	João Procopio Lopes Monteiro ..	Paulo.
448	Idem ..	Marcolino.
449	José Jacintho da Cruz ..	Jeronima.

No.	Name of Concessionnaire.	Name of African.
450	José Jacintho da Cruz	Bruno.
451	Idem	Domingos.
452	Idem	Severiano.
453	José Cezario de Miranda Ribeiro	Thomas.
454	Idem	Theodoro.
455	Idem	Sergio.
456	Idem	Hermilia.
457	José Christino da Costa Cabral	Honorio.
458	João Pedro de Almeida	Catão.
459	João Caetano da Silva	Porfírio.
460	Justiniano José da Rocha	Nicolau.
461	João Bernardo Nogueira da Silva	Saturnino.
462	José Carlos Perreira de Almeida Torres	Candido.
463	Idem	Cyriaco.
464	Idem	Torquato.
465	Idem	Christina.
466	Idem	Victoria.
467	José Maria Rego	Traiano.
468	Joaquim Antonio de Oliveira	Henrique.
469	João Carneiro de Campos	Bazilina.
470	Idem	Joaquim.
471	José Fortunato de Britto	Lucia.
472	Idem	Aprigia.
473	José Maria da Costa	Gabriella.
474	José Joaquim Alves Vianna	Catharina.
475	Idem	Emiliana.
476	José Rodrigues Ferreira	Thereza.
477	Idem	Anna.
478	Joaquim José Lopes	Eloy.
479	Joaquim Martins Ribeiro	Fabiano.
480	Idem	Narcizo.
481	José Correa de Albuquerque	Paula.
482	José Miranda Mauro da Costa Reis	Benevenuto.
483	Idem	Leão.
484	José Baptista da Silva	Roberto.
485	Joaquim Monteiro Roiz. de Alvarenga	Gil.
486	José Maria Bontempo Filho	Firmiana.
487	Idem	Raymunda.
488	Idem	Diogo.
489	José Rodrigues dos Santos	Thomazia.
490	José Paula de Figueiroa Nabuco Ar.	Braz.
491	Idem	Gregorio.
492	José Pereira Martins	Felisberto.
493	José Antonio de Barros Henriques	Juliana.
494	Idem	Romana.
495	Joaquina Roza de Vasconcellos	Lidia.
496	José Virissino dos Santos	Bertholdo.
497	Joaquim José dos Santos	Ernestino.
498	José Alexandrino Villas Boas	Aniceto.
499	Idem	Bonifacio.
500	José de Silva Brandão	Galdino.
501	Joaquim José de Souza Vianna	Brigida.
502	José Joaquim da Costa	Agueda.
503	João Gomes Cabral de Mello	Severo.
504	Joaquim Nunes	Ildefonso.
505	José Maria Correia de Sá	Cosme.
506	Idem	Escolastica.
507	Idem	Guilhermina.
508	Idem	Izidoro.
509	José Luiz Mendes	Germano.
510	Idem	Bernardo.
511	Idem	Martha.
512	José Barbosa de Oliveira	Marcos.
513	D. Jezuina Roza Pimentel	Pompeo.
514	John Taylor	Firmo.
515	Idem	Cezario.
516	José Pedro Simoes	Xisto.
517	José Alves Antunes	Libanio.
518	Joaquim José da Silveira	Martiniano.
519	José Maria Quintella	Romão.
520	José Paulo Sodré	Quinteiro.
521	Idem	Helena.
522	Joanna Maria da Silva Braga	Marcos.
523	Idem	Joaquim.
524	João Carlos Monteiro	Arsenio.
525	Idem	Cypriana.
526	José Gomes da Cruz	Beltrão.
527	José Joaquim dos Santos	Angelo.

No.	Name of Concessionaire.	Name of African.
528	Joaquim José Bonina	Elesbão.
529	João de Deos Menna Barretto	Maximiano.
530	Joaquim José de Sequeira Filho	Augusto.
531	Idem	Agostinha.
532	José de Sequeira Barbosa Maduro. Queiroz	Emílio.
533	Joaquim Ferreira Guimarães	Agostinho.
534	Justino Antonio da Silva	Rachael.
535	Julia Carolina de Albuquerque	Pascoal.
536	José Pedro da Silva	Patricia.
537	José Machado Nunez	Gonçalo.
538	Joanna Luiza Airosa	Honoria.
539	José Alves da Veiga	Agostinho.
540	José de Moraes de Silva	Honoria.
541	Joaquim de Souza Monteiro	Amando.
542	João Antonio de Azevedo.	Cosme.
543	João de Araujo Maia	Felicia.
544	Idem	Gaudencia.
545	Idem	Justiniano.
546	José Victorino Alves	Agapito.
547	Idem	Marcelino.
548	Idem	Massnete.
549	José Wernek Ribeiro de Aguilar	Antão.
550	Jozefa Cecilia de Figueireira Carvalho	Ambrozio.
551	João Antonio d'Araujo Silva	Dyonisia.
552	José Joaquim Gonçalves Pereira	Firmiana.
553	Idem	Gertrudes.
554	Idem	Felicia.
555	Idem	Justa.
556	José Pereira Leitão	Joguina.
557	João Pereira Cabral de Mesquita	Justiniana.
558	João Hilario de Menezes Drummond	Marcello.
559	Idem	Damião.
560	João Betino	João.
561	João de Souza Glz. Gomes	Apparicio.
562	Idem	Arnaldo.
563	Idem	Anselmo.
564	Idem	Athanazio.
565	Idem	Etto.
566	Joaquim Mello Francisco Bueno	Anizio.
567	José Francisco Moreira	Hypolito.
568	João Nepomuceno de Souza	Adjunto.
569	José Carneiro de Mendonça	Felicissima.
570	João Gualberto de Carvalho	Braulio.
571	Idem	Dyonisio.
572	Idem	Agapito.
573	Idem	Benedito.
574	José Ignacio da Silveira Calvet	Beda.
575	José Vicente de Noronha Torregão	Clementino.
576	Idem	Eduviges.
577	João Carneiro de Mendonça	Creascencino.
578	Idem	Claudionor.
579	Idem	Flix.
580	Idem	Libanio.
581	Joaquim José dos Santos	Germiniano.
582	José Maria dos Santos	Manoel.
583	Julia Carolina da Costa	Mauricia.
584	Idem	Declinda.
585	José Antonio da Fonseca Galvão	Antonio.
586	José Peixoto da Fonseca	Joaquim.
587	Joaquim Carneiro de Mendonça	Eleuterio.
588	Idem	Elizario.
589	João Rodrigues de Almeida	Fructuoso.
590	Idem	Januario.
591	Idem	Felippe.
592	José Jorge da Silva	Gallo.
593	João Antonio de Oliveira	Julio.
594	José Joaquim Fernandes Torres	Luiz.
595	Idem	Julião.
596	Idem	Rodrigo.
597	João José Dias Moreira	Lazaro.
598	José de Paiva Magalhães Calvet	Lucindo.
599	Idem	Felicissimo.
600	José Joaquim Machado de Oliveira	Liborio.
601	José Feliciano Pinto Coelho da Cunha	Leonardo.
602	Idem	Maximiano.
603	Idem	Petronilha.
604	Idem	Rabeca.
605	João Carlos da Cunha Gusmão Vasconcellos	Marianno.

No.	Name of Concessionnaire.	Name of African.
606	Joaquim Henriques de Araujo ..	Veridiano.
607	João Ignacio da Cunha ..	Polidoro.
608	Joaquim Tavares da Silva ..	Zozima.
609	Joanna Candida das Chagas ..	Aniceta.
610	Joaquim José da Costa ..	Deolinda.
611	José Polycarpo de Andrade e Silva ..	Ignéz.
612	Joaquina Luiza Mendes Bastos ..	Mauricia.
613	D. Joaquina Angelica de Almeida ..	Nicolau.
614	Jacintha da Cunha Vasconcellos ..	Thomazia.
615	Julia Candida Damasceno Rozado ..	Termela.
616	Joaquim Marcelino de Britto ..	Victoria.
617	Idem ..	João.
618	José Urbano de Carvalho ..	Eva.
619	Joaquim Mariano de Azevedo Corto. ..	Joaquim.
620	José Thomas Rodrigues ..	Roza.
621	José Maria Ferreira ..	Luiz.
622	José Antonio da Fonseca Lessa ..	Agostinha.
623	José Silveira do Pilar ..	Pacifico.
624	João Silveira do Pilar ..	Paulino.
625	Joanna Paula da Gama Nabuco de Ate. ..	Marianno
626	Joaquim Bandeira de Gouveâ ..	André.
627	Joaquim Marques Lisboa ..	Apolinaria.
628	Luiz Joaquim de Gouveâ ..	Rufina.
629	Luiz Fortunato de Britto ..	Procopia.
630	Idem ..	Angelica.
631	Idem ..	Theofilo.
632	Idem ..	Diogenes.
633	Idem ..	Liborio.
634	Luiz José Ferreira ..	Felippe.
635	Idem ..	Epifania.
636	Lucidio José Candido Pereira do Lago ..	Maria.
637	Luiz Ferreira de Lemos ..	Guimar.
638	Luiz Gonsalves da Silva ..	Manoel.
639	Idem ..	Gonçalo.
640	Idem ..	Firmo.
641	Idem ..	Salvador.
642	Idem ..	Wery.
643	Idem ..	Ezequiel.
644	Luiz Gonzaga de Moura ..	Marinha.
645	Luiz da Cunha Moreira ..	Joanna.
646	Idem ..	Severina.
647	Luiz Correia de Azevedo ..	Victor.
648	Luiz Joaquim do Nascimento ..	Felisberta.
649	Luiz Antonio de Araujo Lima ..	Marcello.
650	Luiz Pedro Tavares ..	Amancio.
651	Luiz Ferreira Lobo Dias ..	Soltero.
652	Leocadia Delfina de Mascarhães ..	Maximiana.
653	Idem ..	Favina.
654	Idem ..	Antonio.
655	Lazaro Jacintho Emilio de Sena Pereira ..	Henrique.
656	Idem ..	Baldaino.
657	Luiz Nicolau Taveira ..	Brigida.
658	Luiz José Martins ..	Justina.
659	Leocadia Theodora de Lima ..	Salvador.
660	Luiz José Marques ..	Militão.
661	Leopoldina de Werna Magalhães ..	Emigdio.
662	Luiz Paulo Figueroa Nabuco de Azevedo ..	Mamœde.
663	Luiz Pereira Sodré ..	Gregorio.
664	Idem ..	Mathias.
665	Idem ..	Thimotheo.
666	Luiza Caetana de Cunha Kelley ..	Olympia.
667	Luiz Guilherme Wolf ..	Emiliano.
668	Luiz Carlos da Costa Lacé ..	Tobias.
669	Francisco Luiz da Silva ..	Paschoa.
670	João Caetano Erpinho ..	Adrião.
671	Carlota Leopoldina Gomes de Mattos ..	Leovigilda.
672	Manoel Alves de Azevedo Sampaio ..	Pepetua.
673	Manoel Rodrigues da Silva ..	Maria.
674	Manoel Carneiro de Campos ..	Germano.
675	Marqueza de Inhambupe ..	Cezario.
676	Manoel Antonio Ferreira de Mendonça ..	Sophia.
677	Maria Clara da Costa Motta ..	Caetano.
678	Idem ..	Faustina.
679	Marianna Rita da Nobreza Lima ..	Efigenia.
680	Idem ..	Ambrozio.
681	Idem ..	Cazimiro.
682	Maria Francisca dos Santos Torres ..	Marianna.
683	Martinho Pedroso ..	Romão.

No.	Name of Concessionnaire.	Name of African.
684	Maria José de Souza Castro ..	Marcelina.
685	D. Maria do Carmo Rabello Koeller ..	Feliciano.
686	Idem ..	Seoval.
687	D. Mathilde Velho da Motta ..	Libanio.
688	Idem ..	Eustaquio.
689	Maria Polucena ..	Custodio.
690	Maria José Pinheiro de Andrade ..	Margarida.
691	Maria Cazimira Vianna ..	Rita.
692	Manoel Joaquim Gomes de Figueredo ..	Bartholomeo.
693	Marianna Bernarda Tavares ..	Lucia.
694	Idem ..	João.
695	Margarida Rita da Conceição ..	Januaria.
696	Manoel Teixeira Coimbra ..	Marianna.
697	Manoel Fernandes Pedroso ..	Iria.
698	Maria Luiza Fernandes Barbosa ..	Florencio.
699	Maria Feliciano de Vasconcellos Coimbra ..	Benedicto.
700	Idem ..	Luiza.
701	Maria Benedita da Rocha Moraes ..	Martinha.
702	Manoel Luiz Lopes de Carvalho ..	Maria.
703	Maria Henriqueta Netto Carneiro ..	Jozé.
704	Idem ..	Diogo.
705	Idem ..	Tristão.
706	Idem ..	Raphael.
707	Idem ..	Guilherme.
708	Idem ..	Emilia.
709	Maria Thereza Tascioti ..	Sebastião.
710	Manoel Hygenio de Figueredo ..	Fredervindo.
711	Marianna Bontempo do Couto ..	Crispine.
712	Idem ..	Marcolino.
713	Idem ..	Sabino.
714	Idem ..	Epifania.
715	Maria Augusta de Oliveira Pinto ..	Affonso.
716	Maria Francisca Benedicta ..	Jovita.
717	Idem ..	Cezario.
718	Idem ..	Anselmo.
719	Maria Candida Loureiro ..	Manoel.
720	Maria José da Camara Leal ..	Izabel.
721	Maria Joaquina do Carmo ..	Pio.
722	Idem ..	Ozorio.
723	Idem ..	Leandro.
724	Maria Gertrudes da Fonseca Silva Lisboa ..	Adriano.
725	Manoel Pereira Correia ..	Leandro.
726	Mathias José Anselmo Lourenço ..	Ursula.
727	Idem ..	Quirino.
728	Manoel Maria de Figueiroa Nabuco ..	Thomazia.
729	Idem ..	Rita.
730	Manoel Xavier da Cruz Lima ..	Florencia.
731	Marianna Roza de Souza Araujo ..	Aprigio.
732	Maria Joaquina Goularte ..	Marcelina.
733	Manoel José de Paiva ..	Cazemira.
734	Maria Honoria de Oliveira Velloso ..	Luiza.
735	Maria Joaquina da Bella Cruz ..	Catharina.
736	Manoel José Galvão de S. Martinho ..	Emetino.
737	Idem ..	Egydio.
738	Manoel Antonio Pereira ..	Marcelina.
739	Maria Delfina ..	Bernardo.
740	Manoel Caetano de Almeida e Albuquerque ..	Romina.
741	Idem ..	Caetano.
742	Idem ..	Delfina.
743	Manoel José Monteiro de Barros ..	Adrião.
744	Idem ..	Izidro.
745	Manoel Coelho de Carvalho ..	Epifanio.
746	Manoel Gomes Ferreira ..	Hermogenea.
747	Idem ..	Athanazia.
748	Idem ..	Cazemira.
749	Manoel da Silva Vigario ..	Agostinha.
750	Maria Bernardina Lisboa ..	Galdina.
751	Idem ..	Engracia.
752	Maria Joaquina da Conceição ..	Ignéz.
753	Mathilde da Silva Monteiro ..	Mariolina.
754	Maria Josefina Gaulete ..	Jacintha.
755	Marcellino José de Santa Anna ..	Beatriz.
756	Maria Joaquina de Arango ..	Claudia.
757	Maria Joaquina da Conceição ..	Maria.
758	Manoel Antonio Marques Guimarães ..	Severino.
759	Maria Ursula de Sequeira ..	Salvador.
760	Maria Jos de Mendonça ..	Serafine.
761	Matheus da Rocha Leal ..	Hypolito.

No.	Name of Concessionnaire.	Name of African.
762	Maria José de Figueredo Faria ..	Engracia.
763	Manoel de Silveira Roiz ..	Hypolito.
764	Maria Alvares de Almeida Albuquerque ..	Domiciano.
765	Marianna Emilia de Almeida Guatemoizim ..	Honorato.
766	Idem ..	Romana.
767	Manoel Alvares de Gusmão ..	Sebastiana.
768	Magdalena Joaquina de Oliveira ..	Mauricia.
769	Marianna Honoria Xavier de Mello ..	Engracia.
770	Maria da Porciuncula ..	Adelaide.
771	Idem ..	Christina.
772	Maria Barbosa de Castro Telles ..	Florencia.
773	Idem ..	Leonarda.
774	Maria Magdalena da Camara ..	Generosa.
775	Marcelino Pinto Ribeiro Duarte ..	Euzebio.
776	Manoel de Carvalho Paes de Andrade ..	Luiz.
777	Manoel José de Campos ..	Caetano.
778	Maria José Fontes ..	Climaco.
779	Manoel José Gomes Pereira de Macedo ..	Helena.
780	Maria Luiza Ayrosa ..	Jacob.
781	Maria Amalia Nebias ..	Felippe.
782	Manoel Hercules Muzzi ..	Germano.
783	Maria Josefina de Oliveira ..	Cazemira.
784	Maria Josefina Pereira da Silva ..	Joanna.
785	Maria Marcelina de Carvalho ..	Firmana.
786	Maria Jezuina ..	Bonifacia.
787	Maria Candida dos Passos ..	Cypriana.
788	Marinha Roza ..	Mamede.
789	Manoel José de Oliveira Cordeiro ..	Calixto.
790	Idem ..	Clemente.
791	Marianna da Camara Lima ..	André.
792	Margarida Delfina Barroso ..	Attico.
793	Mathilde Delfina Pereira ..	Abinicia.
794	Manoel Carneiro de Mendonça ..	Benedito.
795	Idem ..	Custodia.
796	Maria Henriqueta dos Santos ..	Cyrilla.
797	Maria Henriqueta ..	Cursino.
798	Manoel Pinto Ribeiro Pereira de Sampaiz ..	Diocleciano.
799	Manoel Ignacio de Noronha ..	Felicio.
800	Maria José Rabello ..	André.
801	Idem ..	Candido.
802	Idem ..	Torquato.
803	Idem ..	Benedicto.
804	Idem ..	Antonio.
805	Manoel Diniz de S. Thiago ..	Evarista.
806	Maria Candida de Oliveira ..	Elizario.
807	Idem ..	Camillo.
808	Idem ..	Ernestino.
809	Manoel de Almeida Vasconcellos ..	Tobias.
810	Idem ..	João.
811	Manoel Antonio Ferreira de Silva ..	Antonio.
812	Manoel José de Faria ..	Egas.
813	Idem ..	Francisco.
814	Idem ..	Honorio.
815	Idem ..	Lucidio.
816	Manoel Muniz Tavares ..	Honorato.
817	Marcos Antonio Montauray ..	Juliana.
818	Manoel Paranhos da Silva Velloso ..	Marciano.
819	Maria Amalia de Campos ..	Alexina.
820	Manoel José de Faria ..	Christina.
821	Maria Henriqueta Moirão ..	Idalina.
822	Maria Paula da Cunha Rocha ..	Liboria.
823	Maria Roza de Carvalho ..	Nathalia.
824	Marianna da Cunha Vasconcellos ..	Roza.
825	Maria Magrate ..	Segismunda.
826	Maria Emilia Lecor ..	Satyra.
827	Manoel José Ribeiro Leão ..	Vicencia.
828	Maria José da Silveira Bontempo ..	Henrique.
829	Maria Miguelina Barbosa da Fonseca ..	Papino.
830	Idem ..	Maximiano.
831	Maria Angelica da Fonseca ..	Florencio.
832	Manoel de Piedade Walongo de Lacerda ..	Bertholdo.
833	Maria José da Silva Maciel ..	Anacleto.
834	Maria Constancia de Oliveira Barbosa ..	Roberto.
835	Idem ..	Marcos.
836	Maria do Carmo Nabuco de Freitas ..	Paula.
837	Maria da Fonseca Lima e Silva ..	Lucas.
838	Maria Augusta Soares ..	Dorothea.
839	Margarida Serafina dos Santos ..	Marcolina.

No.	Name of Concessionnaire.	Name of African.
840	Nuno Eugénio de Locio ..	Simão.
841	Olympio Carneiro Viriato Montez ..	Paulo.
842	Polydoro da Fonseca Quintanilha Jordoá ..	Ladislau.
843	Idem ..	Claudio.
844	Polycarpo Dias da Cruz ..	Carlota.
845	Idem ..	André.
846	Paulino Fernandes de Carvalho ..	André.
847	Idem ..	Roza.
848	Polycarpo José Fonseca de Souza Coelho ..	Geraldina.
849	Perpetua Angelica ..	Umbelina.
850	Possidonio Leite Ferreira de Mello ..	Carolina.
851	Idem ..	Vicencia.
852	Idem ..	Euphrozina.
853	Idem ..	Felisberto.
854	Polucena Maria da Conceição Cruz ..	Domingas.
855	Idem ..	Benevenuto.
856	Paulino José Martins ..	Alexandrina.
857	Paula Daguehrade Meyer ..	Raphael.
858	Pedro da Silva Pedroso ..	Theodoro.
859	Idem ..	Joanna.
860	Pedro José de Faria ..	Marcaria.
861	Pedro Luiz de Souza ..	Rozendo.
862	Idem ..	Climaco.
863	Pedro da Cunha Leitão ..	Amedeo.
864	Pedro Augusto Nabuco de Araujo ..	Satyro.
865	Quirino Ribeiro de Avellar ..	Procopio.
866	Roza Thereza de Gouveia ..	Godrinho.
867	Raphael Pereira de Carvalho ..	Gregorio.
868	Idem ..	Maximano.
869	Roza Maria Silveira Bontempo ..	Emiliano.
870	Idem ..	Fulgencio.
871	Ricardo José Domingues Ferreira ..	Maria.
872	Rita Innocencia Candida ..	Xisto.
873	Rita Hygina de Souza ..	Julião.
874	Roza Michaela Serrão ..	Hilario.
875	Idem ..	Rozendo.
876	Idem ..	Aniceto.
877	Ricarda Correia de Castro Menezes ..	Athanazio.
878	Roberto Ferreira da Silva ..	Damazo.
879	Roque Antonio Cordeiro ..	Aniceto.
880	Rodrigo do Amaral ..	Nathalio.
881	Roza Clementina da Fonseca Costa ..	Thomazia.
882	Sociedade de Pesca Felix Lembrança ..	Simpliciana.
883	Sebastião José Ferreira ..	Narciza.
884	Saturnino de Souza e Oliveira ..	Germanio.
885	Idem ..	Antonio.
886	Idem ..	Roberto.
887	Idem ..	Cassiano.
888	Idem ..	Tiburcio.
889	Severiana Rosa Martins ..	Gertrudes.
890	Silvano Francisco Alves ..	Fernando.
891	Simplicio José Ferreira ..	Marianno.
892	Salustiano José de Souza e Silva ..	Virissima.
893	Solidonio José Antonio Pereira do Lago ..	Manoel.
894	Severiana Maria de Menezes ..	Francisca.
895	Sebastião José Pinto de Lima ..	Venancia.
896	Tiburcio Antonio Carneiro ..	André.
897	Tertuliano Correa Alves Quintanelha ..	Florencio.
898	Thomé Joaquim Torres ..	Joaquim.
899	Thereza de Jezus e Silva ..	Catharina.
900	Thereza Rita Loureiro ..	Luiz.
901	Thereza de Jezus Maria ..	Emilio.
902	Thomaz de Aquino e Souza ..	Aguedo.
903	Thereza Ignacia de Noronha Feital ..	Tito.
904	Thereza Angelica de Sá ..	Ricarda.
905	Thomazia Maria ..	Mafalda.
906	Thereza Maria de Jezus ..	Roberta.
907	Tristao Antonio Dias Bicalho ..	André.
908	Torquato de Araujo e Silva ..	Ambrozio.
909	Idem ..	Jeronimo.
910	Thereza Maria de Jezus ..	
911	Thomas Herculito de Oliveira Fontoura ..	Cosme.
912	Thereza Candida do Pilar ..	Gabriella.
913	Idem ..	Domingos.
914	Idem ..	Pompeo.
915	Idem ..	Roza.
916	Thomas Ribeiro Maltez ..	José.
917	Idem ..	Geraldo.

No.	Name of Concessionaire.	Name of African.
918	Vicente Antonio da Costa	Gregorio.
919	Idem	Epifanio.
920	Idem	Catharina.
921	Visconde de Goyanna	Mauricio.
922	Idem	Francisco.
923	Viscondessa de Alcantara	Sebastião.
924	Vicente Ferreira de Aguiar Leitão	Clemencia.
925	Virginia de Almeida Costa	Eustaquinia.
926	Victoriana Miranda	Lina.
927	Wenceslau de Oliveira Bello	Guilherme.
928	Visconde de Abaeté	Luiza.
929	Idem	Euzebio.
930	Visconde de Bonfim	Simão.
931	Visconde de Maranguape.	Matheus.
932	Idem	Honorio.
933	Idem	Lidia.
934	Viscondessa de Caravellas	Adrião.

List of Free Africans at present in the Province of Bahia, with their respective Ages.

No.	Name.	Age.	No.	Name.	Age.
1	Adão	48	56	Bruno	31
2	Adão	40	57	Bruno	37
3	Abel	33	58	Caetano	34
4	Adrião	41	59	Caetano	35
5	Afonso	26	60	Caetano	32
6	Afonso	37	61	Cagrio or Caio	23
7	Agostinho	24	62	Claudemiro or Theodosmio	Not given.
8	Agostinho	42	63	Cassiano	26
9	Agostinho	39	64	Carlos	24
10	Alvano	21	65	Cassiano	26
11	Alexandre	30	66	Carlos	38
12	Alfredo	23	67	Carlota	27
13	Amaro or Antonio	25	68	Camillo	30
14	Amaro	24	69	Casimiro	33
15	Ambrosio	28	70	Candido	31
16	Ambrosio	37	71	Carolina	31
17	Ambrosio	33	72	Certorio or Custodio	31
18	Antonio Congo	31	73	Cecilia	22
19	Antonia	47	74	Cesar	34
20	Antonio	45	75	Cyriaco	31
21	Antonio	33	76	Constancio	23
22	Antonio	38	77	Constancia	31
23	André	37	78	Constancia	33
24	Anastacio	27	79	Cosme	37
25	Anastacia	29	80	Cosme	38
26	Anna	29	81	Cosme	26
27	Andresa	35	82	Custodio	33
28	Angelica	33	83	Custodia	31
29	Aniceto	35	84	Cypriano	27
30	Aniceta	28	85	Cypriano	33
31	Aniceto	25	86	Christovão	47
32	Anacleto	45	87	David or Daniel	25
33	Aprigio	26	88	Damião	35
34	Althanazio	39	89	Daniel	28
35	Bartheolomeo or Eliseo 1st	37	90	Dario	30
36	Bartholomeo	33	91	Dario	38
37	Balthazar	23	92	Damesceno or Damasio	24
38	Bernabé	26	93	Damasio	27
39	Belisario	55	94	Desiderio	23
40	Belisario	31	95	Delfino	31
41	Belmiro	Not given.	96	Delfino or Guviniano	22
42	Benedicto	43	97	Demetrio	31
43	Benedicto Catraio	28	98	Deocleciano	28
44	Benedicto	25	99	Dionysio	24
45	Benedicto	33	100	Dionysia	23
46	Benedicto	27	101	Dionisio	22
47	Bento	43	102	Diogenes	29
48	Benvindo	24	103	Domingos	27
49	Benvinda	30	104	Domingos José	33
50	Bernardo	38	105	Domingos	32
51	Bernarda	27	106	Domingos	31
52	Bernardino	39	107	Domienne	27
53	Bernardo	45	108	Donato	31
54	Berto	24	109	Eugenio	29
55	Braz	37	110	Eugenia	27

No.	Name.	Age.	No.	Name.	Age.
111	Elena	39	188	Horacio	32
112	Eliseo 2nd, or Bento	25	189	Horatio	33
113	Eliseo or Bento	33	190	Honorato	26
114	Elias	23	191	Homero	37
115	Elesbão	26	192	Honorio	23
116	Eleodoro	28	193	Hippolito	28
117	Eduardo	37	194	Ignacio	31
118	Ephigenia	29	195	Ignacio 2nd	32
119	Emilio	41	196	Ignacio 1st	38
120	Emygido	Not given.	197	Innocencio	25
121	Eusebio	31	198	Irenêo	30
122	Eusebio	38	199	Isaack	33
123	Eufrazio or Francisco	25	200	Isaack	33
124	Eneas	33	201	Isaack	23
125	Egas	28	202	Isaack	34
126	Evaristo	36	203	Isidra	31
127	Evaraldino	26	204	Isidoro	25
128	Esmeria	27	205	Isabel	31
128	Esmeria or Herminia	28	206	Isabel	31
129	Esmael	33	207	Isabel	29
130	Esmael	39	208	Jacob or Xisto	27
131	Everisto	36	209	Jacob	37
132	Everaldino	45	210	Jayme	26
133	Epiphanio	33	211	Jayme	41
134	Escolastico or Francisco	27	212	Januario	23
135	Ernestino	25	213	Januario	30
136	Estanislau	32	214	Januario	27
137	Eva	29	215	Jacintho	22
138	Faustino	38	216	Jacintho	31
139	Fausto	30	217	Jacome	29
140	Faustina	27	218	Jeronyma or Paula	28
141	Fabio or Fabiano	33	219	Jesuino	26
142	Fabio	32	220	Joaquim Congo	23
143	Fabião	37	221	Joaquim Antonio	26
144	Fabiana	48	222	Joaquim	33
145	Fabricio	33	223	Joaquim	25
146	Fabricia	35	224	Joaquim	32
147	Felix	39	225	João Adão	35
148	Feliciano	31	226	João Paulo	31
149	Feliciano	24	227	João	25
150	Felicio	31	228	João Ivo	31
151	Felicia	29	229	João	26
152	Felippe	38	230	Joanna	29
153	Felippe	36	231	Jonas	26
154	Felippe	38	232	Jorge	30
155	Florinda	30	233	Jorge	38
156	Firmino	43	234	Jorge or Zotico	31
157	Florencia	35	235	Josino	23
158	Florentino	58	236	José Pequeno	25
159	Francisco	33	237	José	35
160	Francisca	37	238	José	40
161	Frederico	27	239	José	28
162	Gabriel	26	240	Josefino	25
163	Gabriella	26	241	Juvenio	25
164	Gaspar	35	242	Julião	33
165	Garcio or Garcindo	24	243	Julião 2nd	24
166	Gavino	22	244	Julia	34
167	Germano	24	245	Julieta	26
168	Gonçalo Pombo	26	246	Justo	33
169	Gonçalo	38	247	Justo	34
170	Gonçalo	31	248	Justa	33
171	Gonçalo	21	249	Justo	26
172	Guilherme	37	250	Justina	30
173	Guilherme	22	251	Lamberto	31
174	Guilhermina	29	252	Ladislau	30
175	Gustavio	23	253	Lazaro	31
176	Gregorio 2nd	24	254	Justino	22
177	Gregorio	31	255	Lazaro	35
178	Gregorio 1st	26	256	Laurianno	22
179	Henrique	24	257	Leandro	38
180	Herminio	24	258	Leopoldo	23
181	Henrique	24	259	Leonel	32
182	Henriqueta	28	260	Leonarda	34
183	Henriqueta	30	261	Libanio	32
184	Hermillo	28	262	Lino	33
185	Herminigildo	26	263	Lino	30
186	Heleno	44	264	Longuinhos	24
187	Hilarius	24	265	Lucas	38

No.	Name.	Age.	No.	Name.	Age.
266	Lucas	38	332	Quintino	23
267	Lucas	31	333	Raymundo	27
268	Lucio	24	334	Rafael	37
269	Lucia	25	335	Raphael	32
270	Luciano	35	336	Ricardo	40
271	Luciano	26	337	Ricardo	27
272	Luiz	23	338	Rittao	35
273	Luiz	35	339	Roberto	43
274	Luiz	35	340	Roque	32
275	Luiza	37	341	Roque	36
276	Luiza	31	342	Roque	26
277	Ludagero	48	343	Rufina	21
278	Ludagero	22	344	Rufino	24
279	Marcos	43	345	Romana	38
280	Marcos	29	346	Romão	29
281	Matheus	21	347	Rozendo	36
282	Mathias	30	348	Roberto or Fabio	36
283	Mathias	31	349	Rosa	35
284	Marçal	23	350	Sancho	25
285	Marçal	29	351	Salustio	25
286	Marcolino	33	352	Sabino	23
287	Marinho	24	353	Sabina	27
288	Martinho	25	354	Saúl	32
289	Maximiano	32	355	Samuel 1st	26
290	Maximiano	37	356	Saturnino or Joaquim	33
291	Maria	32	357	Severo	29
292	Maria Francisca	37	358	Severa	28
293	Maria	29	359	Sem	Not given
294	Martiniano	24	360	Severiano	28
295	Martiniano	25	361	Sertorio	43
296	Manoel Texeira	31	362	Sezinando	28
297	Manoel	28	363	Senna	24
298	Malaquias	35	364	Simphronio	24
299	Militão	23	365	Simphronio	31
300	Micaella or Marcella	41	366	Semeão	28
301	Moysés	25	367	Simplicio	35
302	Narcizo	41	368	Sophia	32
303	Napoleão	33	369	Suzana	26
304	Nicolaú	39	370	Tito	22
305	Martinho	25	371	Thiago	27
306	Nicandro	27	372	Thomaz	33
307	Norberto	29	373	Thomaz	31
308	Nicomedes	25	374	Tobias	29
309	Noé	36	375	Trajano	22
310	Nonato	29	376	Troiani or Tristão	31
311	Octaviano	23	377	Tristão	32
312	Odorico	41	378	Urania	27
313	Odorico	21	379	Vasco da Gama	29
314	Olava	32	380	Valeriano	28
315	Olaú	29	381	Valladão	25
316	Orminio	24	382	Venancio	27
317	Olrana	24	383	Vicente	34
318	Orlando	27	384	Vicente	40
319	Paulo	61	385	Vicente	25
320	Paulino	24	386	Vidal or Vital	24
321	Pamphilio	24	387	Victorino 2nd	Not given.
322	Pedro	38	388	Victoriano	26
323	Pedro Moscoso	27	389	Victorino 1st	24
324	Pedro	30	390	Virgiania	33
325	Pompeo	32	391	Xisto	29
326	Ponciano	24	392	Zacharias	22
327	Primo	27	393	Zeferina	32
328	Patrociono	25	394	Zebina	Not given.
329	Querino	32	395	Zebedeo	27
330	Querino	24	396	Zotica or Jorge	31
331	Querino	21			

NOMINAL List of Africans existing in the War Arsenal at Rio de Janeiro and the Departments belonging to the same.

No.	Name.	No.	Name.	No.	Name.
1	Adriano.	13	Jozino.	25	Dioguine.
2	Balthazar.	14	Jeronimo.	26	Mathias.
3	Cazimiro.	15	Norberto.	27	Carlos.
4	Cleto.	16	Pompeo.	28	Domingos.
5	Camillo.	17	Guiterio.	29	Clemente.
6	Capistrano.	18	Severino.	30	Protazio.
7	Diogo.	19	Scipião.	31	Primo.
8	Eloy.	20	Dionysio.	32	Antopina.
9	Erico.	21	Damazo.	33	Clementina.
10	Elizario.	22	Jeronimo.	34	Maria.
11	Floriano.	23	Manoel.	35	Philomena.
12	Gonçalo.	24	Marcal.		

Age not given.

In the service of the Pyrotechnico Department at Campinha there are the following :—

No.	Name.	No.	Name.	No.	Name.
1	Flavio.	6	Victor.	11	Peregrino.
2	Pedro.	7	Benedicto.	12	Hilario.
3	Bernardino.	8	Chrisantho.	13	Gonçalo.
4	Athanazio.	9	Jacob.	14	Alberto.
5	Julião.	10	Christovão.		

At the Military School at Pria Vermelha there are the following :—

No.	Name.	No.	Name.	No.	Name.
1	Primo.	4	Domingos.	7	Scipião.
2	Joaquim.	5	Januario.	8	Antonio.
3	Cyriaco.	6	Jervazio.		

In the Central Military School :—

1. Dioguino.

2. Mathias Ventura.

In the service of the Military Hospital there are the following :—

No.	Name.	No.	Name.	No.	Name.
1	Pátricio.	4	Leonel.	7	Theodulo.
2	João.	5	Marcello.	8	Andronico.
3	Luiz.	6	Serapião.	9	Frederico.

In the Deaf and Dumb Institute there are the following :—

No.	Name.	No.	Name.
1	Sebastião.	3	Marcos.
2	Rodrigo.	4	Miguel.

In the Institute for the Blind there are the following :—

No.	Name.	Nation.	No.	Name.	Nation.
1	Simão	Mozambique.	5	Fernaudo	Congo.
2	Anacleto	Angola.	6	Luiza	Mucena.
3	Felicioissimo	Cabundá.	7	Anastacia	Cabundá.
4	Januario	Congo.	8	Felicia	Mozambique.

In the Marine Arsenal at Rio de Janeiro and the Departments belonging to the same there are the following Africans:—

No.	Name.	Nation.	No.	Name.	Nation.
1	Augusto	Cabundá.	39	Narcizo	Angola.
2	Hermenegildo	Benguella.	40	Antonio	Benguella.
3	Braz	Mina.	41	Pacifico	Congo.
4	Romão	Congo.	42	Francisco	Idem.
5	Jacinto	Idem.	43	Egas	Idem.
6	Camillo	Idem.	44	Clemente	Idem.
7	Luiz	Idem.	45	João	Cabinda.
8	Nuno	Benguella.	46	Militão	Benguella.
9	Elias	Angola.	47	Ambrozio	Congo.
10	Adão	Mina.	48	Adrião	Not given.
11	João	Cabinda.	49	Amaro	"
12	Leonel	Congo.	50	Cariolano	"
13	Valentine	Benguella.	51	Faustino	"
14	Eustaquio	Rebolo.	52	Fernando	"
15	João	Congo.	53	Firmo	"
16	Belmiro	Monjolo.	54	Gregorio	"
17	Antonio	Benguella.	55	Honarato	"
18	Carlos	Mozambique.	56	Izaac	"
19	Hypolito	Cassange.	57	Izidoro	"
20	Benevenuto	Cabinda.	58	Joaquim	"
21	Florencio	Idem.	59	José	"
22	Antonio	Rebolo.	60	Joaquim	"
23	Semeão	Cabinda.	61	Jayme	"
24	Pompeo	Idem.	62	Justo	"
25	Benedito	Benguella.	63	Lazaro	"
26	Marcolino	Idem.	64	Luiz	"
27	Clemente	Congo.	65	Mathias	"
28	Francisco	Mozambique.	66	Marcello	"
29	Victorino	Quillimane.	67	Martinho	"
30	Jorge	Benguella.	68	Patricio	"
31	Ambrozio	Angola.	69	Raphael	"
32	Anastacio	Ussá.	70	Sidonio	"
33	João	Mozambique.	71	Silvano	"
34	Boaventura	Quillimane.	72	Simão	"
35	Diogo	Cabinda.	73	Theodoro	"
36	Ozorio	Moange.	74	Theophilio	"
37	Romão	Mozambique.	75	Tiburcio	"
38	José	Idem.	76	Torquato	"

Note.—The Africans, from No. 48 to 76—the nationality of which is not given—were imported into the country previous to the year 1844, and belong to those declared free by the Mixed Anglo-Brazilian Commission. As regards the others, from No. 1 to 47, it does not appear that the date of their importation is on record. It is possible that some of these have already been emancipated this year.

In the Department of Public Works in this capital there are the following Africans:—

No.	Name.	Race.	No.	Name.	Race.
1	Francino	Mozambique.	20	Felix	Benguella.
2	Romão	"	21	Benedicto	Mina.
3	Felisberta	"	22	Luiz	Congo.
4	Euzebio	"	23	Joaquim	Monjolo.
5	Afonso	Quillimane.	24	Manoel	"
6	Joaquim José	"	25	Camillo	Moange.
7	Romão	"	26	João	Mucena.
8	Francisco	"	27	José	Cabinda.
9	Manoel João	"	28	Francisco	Mozambique.
10	Fabiano	"	29	Gregorio	Moange.
11	Ludgero	"	30	Francisco	Cabinda.
12	José	"	31	Geraldo	Congo.
13	Clemente	Mucena.	32	Jeronimo	Mozambique.
14	Maximiano	Quillimane.	33	Manoel	Mucena.
15	Julião	"	34	Theobaldo	"
16	Marciano	"	35	Capistrano	Congo.
17	Antonio	"	36	João	Congo.
18	Januario	Mozambique.	37	Ignacio	Angola.
19	Sabino	Congo.	38	Simpliciano	Benguella.

Note.—There are further nine children belonging to Africans, likewise in charge of the Department of Public Works.

In the City Public Illumination Department there are the following:—

No.	Name.	Race.	No.	Name.	Race.
1	Francisco - -	Mozambique.	10	Antonio Simão - -	Mozambique.
2	Guilherme - -	"	11	Ricardo - -	Congo.
3	Manoel - -	Angola.	12	Bartholemeu - -	Angola.
4	Anastacio - -	Congo.	13	José - -	Congo.
5	Quandencio - -	Mina.	14	Domingos - -	Benguella.
6	Alexandre - -	Congo.	15	Brazilio - -	Mina.
7	Julio - -	"	16	Hilario - -	Congo.
8	Victorino - -	Mozambique.	17	Felicio - -	"
9	Fabiano - -	"			

Note.—The work of this illumination is properly "public service," and not that effected by the Gas Company.

There are also employed by the Municipal Chamber in this capital the following Africans:—

No.	Name.	Race.	No.	Name.	Race.
1	Ambrozio - -	Monjola.	8	Militão - -	Congo.
2	Cosme - -	Cabindá.	9	Modesto - -	Cabundá.
3	Januario - -	Congo.	10	Nuno - -	Congo.
4	Ludgero - -	"	11	Nicomedes - -	"
5	Lucio - -	Cabundá.	12	Pepino - -	Bacá.
6	Luiz - -	Congo.	13	Pedro - -	Congo.
7	Leopoldo - -	"	14	Ponciano - -	"

Employed in Telegraphic Stations there are the following:—

No.	Name.	Race.	No.	Name.	Race.
1	Porfirio - -	Not given.	3	Eustaquio - -	Not given.
2	Paschoal - -	"			

In the National Public Library there are also the following:—

No.	Name.	Race.	No.	Name.	Race.
1	Faustino - -	Mucena.	2	Anastacio - -	Mozambique.

In the City "Permanente" Police Corps:—

No.	Name.	Race.	No.	Name.	Race.
1	Marcos - -	Moange.	9	Izaac - -	Congo.
2	Tito - -	Mina.	10	Ambrozio - -	"
3	Marcello - -	Congo.	11	Ignacio - -	"
4	Conrado - -	"	12	Hilario - -	Mina.
5	Gyrillo - -	"	13	João - -	"
6	Simão - -	Quillimane.	14	Jeronimo - -	"
7	Elizario - -	"	15	Pamphileo - -	"
8	Romulo - -	Congo.			

In the service of the Pedro II College there were or are at present the following Africans:—

No.	Name.	Race.	No.	Name.	Race.
1	Ezequiel - -	Congo.	10	Florianio - -	Inhambane.
2	Bernabé - -	Monjolo.	11	Jucundino - -	"
3	Leoncio - -	Congo.	12	Manso - -	Quambá.
4	Liborio - -	"	13	Nicomedes - -	Ganguella.
5	Lourenço - -	Angola.	14	David - -	Congo.
6	Amuncio - -	Inhambane.	15	José - -	"
7	Paulo - -	Zusunge.	16	Jacinto - -	Monjolo.
8	Pantaleão - -	"	17	Papiniano - -	Congo.
9	Pyrrho - -	Inhambane.	18	Manoel - -	"

And in the Pedro II Hospital (Lunatic Asylum) there are the following:—

No.	Name.	Race.	No.	Name.	Race.
1	Felicio - -	Nuambo.	19	Camillo - -	Mozambique.
2	Felicissimo - -	"	20	Camillo - -	"
3	Gualberto - -	Uguarange.	21	Camillo - -	"
4	Hermenegildo - -	Covia.	22	Camillo - -	"
5	Horacio - -	Cotinda.	23	Francisco - -	Benguella.
6	Emeterio - -	Caconda.	24	Francisco - -	"
7	Innocencio - -	Natirangue.	25	Francisco - -	"
8	Marcos - -	Natpien.	26	José - -	"
9	Melicio - -	Matuka.	27	Manoel - -	"
10	Antonio - -	Congo.	28	Ozorio - -	"
11	Camillo - -	Cabinda.	29	Sebastião - -	Missongo.
12	Camillo - -	Mozambique.	30	Catharina - -	Mozambique
13	Camillo - -	"	31	Catharina - -	"
14	Camillo - -	"	32	Francisca - -	Benguella.
15	Camillo - -	"	33	Leonarda - -	"
16	Camillo - -	"	34	Paulina - -	Mozambique.
17	Camillo - -	"	35	Zelinda - -	Cabinda.
18	Camillo - -	"			

In the School of Medicine at Rio de Janeiro there is also the following:—

No.	Name.	Race.
1	Justianiano - -	Benguella.

There are still in the service of the Magé and Sapucaia Road Company the following Africans:—

No.	Name.	Race.	No.	Name.	Race.
1	Athanazio - -	Quillimane.	16	Epifanio - -	Chatama.
2	Andronico - -	Cabinda.	17	Elias - -	Cabinda.
3	Angelo - -	Benguella.	18	Emilio - -	Benguella.
4	Benevenuto - -	Congo.	19	Eduardo - -	Loange.
5	Bento - -	"	20	Faustino - -	Benguella.
6	Bazilio - -	"	21	Geraldo - -	Mozambique.
7	Bartholomeu - -	Mozambique.	22	Jeremias - -	"
8	Balbino - -	"	23	Marino - -	Mucena.
9	Cosme - -	Chatama.	24	Marcolino - -	Congo.
10	Celestino - -	Cabinda.	25	Marcolino - -	Mozambique.
11	Constancio - -	Mozambique.	26	Timotheo - -	Congo.
12	Dorotheo - -	Quillimane.	27	Valerio - -	Quillimane.
13	Diogo - -	Mozambique.	28	Vicente - -	Mozambique.
14	Dyonisio - -	"	29	Pedro - -	"
15	Estacio - -	Quillimane.			

Note.—Over and above these Africans, there are further fourteen children under the charge of this said Company, which is simply a private enterprize.

The Highway Company of Mangaratiba has also in its service the following Africans:—

No.	Name.	Race.	No.	Name.	Race.
1	Antero - -	Congo.	11	Honorato - -	Munjo.
2	Julião - -	"	12	Lazaro - -	Quirindé.
3	Satyro - -	"	13	Annibal - -	Sunde.
4	Cyrillo - -	"	14	Primo - -	Miteque.
5	Jacinto - -	"	15	Juvencio - -	Miaca.
6	Lazaro - -	Quiparnan.	16	Pelagio - -	Lumbo.
7	Porfirio - -	Menjolo.	17	Leandro - -	Miteque.
8	Angelo - -	"	18	Melchíades - -	"
9	Francisco - -	Oamba.	19	Cassiano - -	"
10	Ildefonso - -	"	20	Marinho - -	"

The following Africans were delivered to the Company "União e Industria:—

No.	Name.	Race.	No.	Name.	Race.
1	Bento	Congo.	25	Januario	Benguella.
2	Afonso	Mozambique.	26	Bernabé	"
3	Silveiro	"	27	Luiz	"
4	Jacinto	Congo.	28	João	Poulo.
5	Adão	Mozambique.	29	Justo	Mozambique.
6	Galdino	Benguella.	30	Leandro	Benguella.
7	Januario	Congo.	31	Macario	Congo.
8	Vidal	Mozambique.	32	Leocadio	Mozambique.
9	Paulino	Montucá.	33	Manoel	"
10	Lucindo	Mozambique.	34	Eleuterio	Benguella.
11	Catoro	"	35	Ludgero	"
12	Izidoro	Monjolo.	36	Eulalio	Congo.
13	Estevão	Mozambique.	37	Victor	Mozambique.
14	Modesto	"	38	Leonidio	Benguella.
15	Pedro	"	39	Napoleão	Mozambique.
16	José	Congo.	40	Jacob	"
17	Domingos	Monjolo.	41	Poviris	Monjolo.
18	Jacob	Mozambique.	42	Mauricio	Cabinda.
19	Theréziano	"	43	Anacleto	Mozambique.
20	Amelio	"	44	Mauricio	Benguella.
21	Joaquim	"	45	Euphrasio	Congo.
22	Marianno	Benguella.	46	João	Mozambique.
23	Latão	"	47	Faustino	Benguella.
24	Bernabé	Congo.	48	Bernardo	"

In the Hospital for Lepers there are employed the following Africans:—

No	Name.	Race.	No.	Name.	Race.
1	Augusto	Cabundá.	8	João	Angola.
2	Anastacio	Abondo.	9	Onofre	Hinga.
3	Braz	Congo.	10	Olympio	Ambaca.
4	Boaventura	Angola.	11	Quiterio	Congo.
5	Daniel	Quillimane.	12	Romulo	Cabinda.
6	Davio	Congo.	13	Pascoal	"
7	Fulgencio	Covia.			

Employed in the city of Petropolis are to be found the following:—

No.	Name.	Race.	No.	Name.	Race.
1	Jacinto	Cotimbé.	7	Marcilino	Tirone.
2	Justino	Lunda.	8	Matheus	Thiaca.
3	Leoneio	Quitumba.	9	Militão	Conhanha.
4	Leovigildo	Ubarando.	10	Maximio	Cuambo.
5	Leandro	Caraula.	11	Naziazeno	Grangue.
6	Manoel	Luanda.	12	Salvador	Urambó.

Note.—The service in the city of Petropolis is different from labour on the road.

On these works are the following:—

No.	Name.	Race.	No.	Name.	Race.
1	Francisco	Congo.	15	Faustino	Bié.
2	Apolinario	"	16	Porfirio	Oamba.
3	Gonçalo	"	17	Angelo	Congo.
4	Amaro	"	18	Henrique	Tibura.
5	Antão	"	19	Emydio	Baca.
6	Luiz	"	20	Ludgero	Oamba.
7	Gemeniario	"	21	Macario	"
8	Romualdo	"	22	Eleodoro	Muzabé.
9	Leandro	"	23	Elias	Miombé.
10	Honorio	Baca.	24	Lino	Loango.
11	Paulo	Locco.	25	Adriano	Sunde.
12	Apolinario	Barundo.	26	Severo	Murabe.
13	Cyro	Pumho.	27	Nabor	obumbe.
14	Ricardo	Ganguella.			

In the Public Gardens of the capital are employed the following :—

No.	Name.	Race.	No.	Name.	Race.
1	Cosme - -	Congo.	3	Nuno - -	Angola.
2	Mamede - -	Angola.	4	Ozorio - -	"

In the Observatory at Rio de Janeiro there are the following :—

1. Carlos.

2. Domingos.

The following Africans ought to exist at the "Mizericordia," where they were sent :—

No.	Name.	Race.	No.	Name.	Race.
1	Camillo - -	Cabinda.	31	Honorato - -	Congo.
2	Camillo - -	Mozambique.	32	Ignacio - -	Angola.
3	Francisco - -	Benguella.	33	Job - -	"
4	Manoel - -	"	34	Longuinho - -	Congo.
5	Manoel - -	Cabinda.	35	Mamede - -	"
6	Francisca - -	Benguella.	36	Manoel - -	Moange.
7	Maria - -	Cabinda.	37	Martinho - -	Congo.
8	Francisca - -	Benguella.	38	Macario - -	"
9	Ambrozio - -	Dango.	39	Mariano - -	Motumbo.
10	Benildo - -	Congo.	40	Malvino - -	Congo.
11	Benwindo - -	Ambuca.	41	Nicolau - -	"
12	Florianio - -	"	42	Narciso - -	Moange.
13	Januario - -	Angola.	43	Olegario - -	Congo.
14	Minervino - -	"	44	Onofre - -	"
15	Miguel - -	Songo.	45	Ovidio - -	"
16	Nerz - -	Ambuca.	46	Pacifico - -	"
17	Pedro - -	Angola.	47	Pamphilo - -	"
18	Guirino - -	Congo.	48	Ponciano - -	Cavange.
19	Rozanro - -	"	49	Guiterio - -	Congo.
20	Antero - -	"	50	Rufino - -	"
21	Braz - -	"	51	Raymundo - -	Manjola.
22	Conrado - -	"	52	Custedia - -	Muxiconga.
23	Carlos - -	"	53	Domingas - -	"
24	Cezario - -	"	54	Dyonisia - -	"
25	Damião - -	"	55	Demetria - -	"
26	Daniel - -	"	56	Eva - -	"
27	Diziderio - -	"	57	Eduviges - -	"
28	Felix - -	"	58	Laurentino - -	Congo.
29	Gabriel - -	"	59	Salvador - -	Cabinda.
30	Hermes - -	"			

The following Africans exist at the Misericordia Hospital, in the city of Campos, in the province of Rio de Janeiro :—

No.	Name.	Race.	No.	Name.	Race.
1	Asselino - -	Calundura.	5	Frederico - -	Congo.
2	Bento - -	Congo.	6	Florentino - -	"
3	Camillo - -	"	7	Polydoro - -	Angola.
4	Faustino - -	"			

In the Misericordia Hospital at Ilha Grande, in the same province, there are the following :—

No.	Name.	Race.	No.	Name.	Race.
1	Damião - -	Congo.	3	Fabio - -	Congo.
2	Ernesto - -	"	4	Sabino - -	"

In the service of the Order III do Carmo the following are employed :—

No.	Name.	Race.	No.	Name.	Race.
1	Benedicto - -	Congo.	6	Hygino - -	Congo.
2	Ignacio - -	Monjolo.	7	Lourenço - -	"
3	Benevenuto - -	Baca.	8	Procurazio - -	"
4	Felicio - -	Congo.	9	Zozimo - -	Angola.
5	Gandelio - -	Moange.			

In the Order III de Bom Jesus the following Africans are employed :—

No.	Name.	Race.	No.	Name.	Race.
1	Amaro - -	Congo.	9	Felizardo - -	Congo.
2	Francisco - -	Cassange.	10	Febronio - -	"
3	Firmino - -	Mussando.	11	Papiniano - -	Cabunda.
4	Marcos - -	Angola.	12	Victorino - -	Angola.
5	Manoel - -	Muxaxa.	13	Zebeden - -	Cabinda.
6	Antonio - -	Muxicongo.	14	João - -	Angola.
7	Castor - -	Congo.	15	Ignacio - -	Quissaman.
8	Donato - -	"			

In the Order III de San Francisco de Paula exist the following :—

No.	Name.	Race.	No.	Name.	Race.
1	Domingos - -	Congo.	5	Gustavo - -	Congo.
2	Joaquim - -	Cabinda.	6	Leopoldo - -	"
3	Clemente - -	"	7	Ludovico - -	"
4	Demetrio - -	Congo.	8	Xisto - -	Moange.

The Brotherhood of S. S. Sacramento have the following in their service :—

No.	Name.	Race.	No.	Name.	Race.
1	Alvaro - -	Congo.	3	Isaac - -	Congo.
2	Braz - -	"	4	Leão - -	"

The Order III de S. Francisco de Penitencia received the following into their service :—

No.	Name.	Race.	No.	Name.	Race.
1	Gonçalo - -	Congo.	4	Tiburcio - -	Congo.
2	Marcos - -	"	5	Thereziano - -	"
3	Ozorio - -	Angola.	6	Virgolino - -	"

The Friars "Missionarios Capuchinhos" have also the following in their service :—

No.	Name.	Race.	No.	Name.	Race.
1	Romualdo - -	Cassange.	2	Narcizo - -	Collin.

NOMINAL List of Africans that were sent to the Powder Manufactory, from whence they were again sent to other destinations ; a number of them, however, there remaining in the service of the State.

No.	Name.	Race.	No.	Name.	Race.
1	Antero - -	Nogueiva.	25	Cazemiro - -	Mogange.
2	Tito - -	Monjollo.	26	Caio - -	"
3	Canuto - -	Mussué.	26A	Leoncio - -	Mussena.
4	Thomaz - -	Congo.	27	Henrique - -	Macúa.
5	Cyro - -	"	27B	Protazio - -	Murrilissa.
6	Angelo - -	"	28	Eustaquio - -	Mussena.
7	Benevenuto - -	"	29	Bruno - -	"
8	Marcello - -	Monjollo.	30	Lino - -	Mogange.
9	Clemente - -	Congo.	31	Scipião - -	Mussena.
10	Anselmo - -	Zombo.	32	Chrispim - -	"
11	Theodoro - -	Moange.	33	Evaristo - -	"
12	Thomazia - -	Conga.	34	Alipio - -	"
13	Françisca - -	"	35	Cassiano - -	Mogange.
14	Gertrudes - -	Mussué.	36	Agapito - -	"
15	Izidoro - -	Barundo.	37	Lourenço - -	Mussena.
16	Gonçalo - -	Cabundá.	38	José - -	Sunna.
17	Marcello - -	Bié.	39	João - -	"
18	Antão - -	Quibanda.	40	Gonçalo - -	Mucena.
19	Euphrasia - -	Ganguella.	41	Amaro - -	"
20	Canuto - -	Moange.	42	Bento - -	"
21	Polycarpo - -	Mussuia.	43	Amphriso - -	"
22	Geminiano - -	Oamba.	44	Felix - -	Macúa.
23	Theodorico - -	Macúa.	45	Manoel - -	"
24	Conrado - -	Mogange.	46	Sotero - -	"

No.	Name.	Race.	No.	Name.	Race.
47	Pascoal	Macúá.	125	Elias	Cabinda.
48	Erico	Mussena.	126	Eudoxio	"
49	Gaudencio	"	127	Ernesto	"
50	Alexandre	Macúá.	128	Evaristo	Congo
51	Homero	"	129	Francisco	"
52	Antonino	Quilimane.	130	Franco	"
53	Patricio	Monange.	131	Fausto	"
54	Umbelino	"	132	Fidelis	"
55	Leoucio	Sunna.	133	Frederico	"
56	Joanna	"	134	Gaspar	"
57	Maria	Quilimane.	135	Gfegorio	"
58	Lidia	Monange.	136	Gongalo	"
59	Olegaria	Macúá.	137	Henrique	"
60	Bazilia	Quilimane.	138	Heitor	"
61	Martha	Macúá.	139	Honorio	"
62	Belmira	"	140	Marianna	Mina.
63	Carolina	"	141	Andreza	Congo.
64	Suzanna	Quilimane.	142	Anna	"
65	Lucrecia	Mugange.	143	Amalia	"
66	Theotonia	Macúá.	144	Amelia	"
67	Manocla	"	145	Anastacia	"
68	Barbara	"	146	Antonio	Muxicongo.
69	Pulqueria	"	147	Ambrozio	"
70	Custodia	"	148	Avelino	"
71	Laurinda	"	149	Antão	Coange.
72	Lacianna	"	150	Agapito	Congo.
73	Romana	"	151	Angelo	Muxicongo.
74	Catharina	"	152	Agnelo	Coange.
75	Libania	Mogange.	153	Aquilino	Angola.
76	Florianio	Muceua.	154	Adão	Muxicongo.
77	Scipião	Macúá.	155	Adrião	Monjollo.
78	Maria	Angola.	156	Andronico	Combata.
79	Quirino	Quissaman.	157	Arnaldo	Muxicongo.
80	Gusmão	Congo.	158	Asselino	"
81	Anna	Mina.	159	Adelino	"
82	Amalia	"	160	Anacleto	Angola.
83	Adelina	"	161	Antero	"
84	Benta	"	162	Braz	Muxicongo.
85	Bemvinda	"	163	Bento	"
86	Benedicta	"	164	Benedicto	"
87	Beatriz	"	165	Boaventura	"
88	Carlota	"	166	Bemvindo	"
89	Clara	"	167	Bernardo	"
90	Clarice	"	168	Bernardino	"
91	Dionysia	"	169	Benildo	"
92	Dioguina	"	170	Bernabé	"
93	Eva	"	171	Bartholomeu	"
94	Esther	"	172	Camillo	"
95	Florinda	"	173	Cassiano	"
96	Florisbella	"	174	Canuto	"
97	Gandelia	"	175	Conrado	"
98	Henriqueta	"	176	Cosme	"
99	Josephina	"	177	Cypriano	Coange.
100	Laura	"	178	Chrispim	Muxicongo.
101	Maria	"	179	Chrispiniano	Cabinda.
102	Narciza	"	180	Cyrillo	Muxicongo.
103	Olympia	"	181	Cyriaco	"
104	Prima	"	182	Cyrino	"
105	Quiteria	"	183	Candido	"
106	Roza	"	184	Christovão	"
107	Suzanna	Cabinda.	185	Chrisogono	"
108	Simão	Congo.	186	Domingos	"
109	Felix	Natiranda.	187	Dyonisio	"
110	André	Congo.	188	Daniel	Bamba.
111	Avelino	"	189	Dario	Angola.
112	Agostinho	"	190	David	Muxicongo.
113	Antonio	"	191	Damião	"
114	Balbino	"	192	Damazio	"
115	Bernardo	"	193	Diogo	"
116	Boaventura	"	194	Deziderio	"
117	Conrado	"	195	Dioguino	"
118	Camillo	Monjollo.	196	Egas	"
119	Cosme	Mozambique.	197	Evaristo	"
120	Cornelio	Cabinda.	198	Eustaquio	"
121	David	"	199	Euzebio	"
122	Dario	"	200	Eugenio	"
123	Daniel	"	201	Euphrazio	"
124	Domingos	"	202	Elizeu	"

No.	Name.	Race.	No.	Name.	Race.
203	Elizario	Muxicongo.	280	Benilda	Cassange.
204	Elias	Bamba.	281	Benedicta	Mutembo.
205	Francisco	Naembo.	282	Bernardina	Muxicongo.
206	Franciseo	Muxicongo.	283	Bemvinda	"
207	Flavio	"	284	Bonifacia	Cassange.
208	Fabricio	"	285	Bernarda	Angola.
209	Flaviano	"	286	Cassiana	Mutembo.
210	Fabio	"	287	Christana	Monjolo.
211	Favino	"	288	Christodolinda	Muxicongo.
212	Fiel	"	289	Cypriana	"
213	Fredesvindo	Bamba.	290	Cyrilla	"
214	Firmino	"	291	Camilla	"
215	Franklin	Monjollo.	292	Capistrana	"
216	Faustino	Bata.	293	Cassandra	"
217	Felippe	Muxicongo.	294	Cazemira	"
218	Firmo	"	295	Caetano	Loango.
219	Fausto	"	296	Crispino	Muxicongo.
220	Felicio	"	297	Crispiniana	"
221	Felicissimo	"	298	Clementina	"
222	Felisberto	"	299	Catharina	"
223	Frederico	"	300	Carolina	"
224	Gaspar	"	301	Clementina (2)	"
225	Gandelio	"	302	Carlota	"
226	Gaudencio	"	303	Candida	"
227	Gregorio	"	304	Canthilde	"
228	Geremino	"	305	Deolinda	"
229	Guilherme	"	306	Dezideria	"
230	Guilhermino	"	307	Domiciana	"
231	Honorio	"	308	Damazia	"
232	Homero	"	309	Dorothea	"
233	Hermeto	"	310	Diocleciana	"
234	Hermeteiro	"	311	Delfina	"
235	Hermes	"	312	Constança	Rebola.
236	Honorato	"	313	Euzebia	Muxicongo.
237	Hypolito	"	314	Eufemia	"
238	Hygenio	"	315	Eulalia	"
239	Hysopo	Angola.	316	Evarista	"
240	Hercules	Monjolo.	317	Ernesta	"
241	Hermogenes	"	318	Erenestina	"
242	João	"	319	Euphrazia	"
243	José	Angola.	320	Eliza	"
244	Jacques	"	321	Eliziarina	"
245	Julio	"	322	Elvira	"
246	Jacob	"	323	Euphrozina	"
247	Jeronimo	"	324	Ethelvina	"
248	Ismael	"	325	Emilia	"
249	Jacques	Muxicongo.	326	Escolastica	"
250	Julio	"	327	Felismina	"
251	Jacob	"	328	Placido	Cabinda.
252	Ignacio	"	329	Prima	Mira.
253	Joaquim	Angola.	330	Moyses	Miombe.
254	Jacob	"	331	Acacio	Inhangue.
255	Juliano	"	332	Rufina	Benguella.
256	Benedicto	Congo.	333	Ragmunda	"
257	Canuto	"	334	Carolina	"
258	Eugenio	"	335	Felippe	"
259	Nery	"	336	Martinho	Angola.
260	Queiroz	"	337	Graciosa	Mutuca.
261	Floriano	Angola.	338	Miquelina	Congo.
262	Anua	Cassange.	339	Genoveva	Cabinda.
263	Agueda	Muxicongo.	340	Sabina	Loanda.
264	Ambrozia	"	341	Marciano	Congo.
265	Ambrozina	"	342	Elias	Benguella.
265*	Augusta	"	343	Carlos	Guissaman.
266	Agapita	Rebola.	344	Pedro	Mina.
267	Agostinha	Angola.	345	Sinfonio	Congo.
268	Apolonaria	Baca.	346	Graciana	Monjollo.
269	Antonio	Muxicongo.	347	Pulqueria	Umbongo.
270	Antonia	Cassange.	348	Maria	Angola.
271	Amelia	Angola.	349	Simpliciana	Benguella.
272	Antonina	Muxicongo.	350	Simão	"
273	Amalia	"	351	Octaviano	"
274	Annalia	"	352	Benta	Mozambique.
275	Acassia	"	353	Felisberto	Mazemba.
276	Arnalda	"	354	Izabel	Cassange.
277	Aprigia	"	355	Adelio	Muxicongo.
278	Benta	"	356	Affricio	"
279	Beatriz	"	357	Agostinho	"

No.	Name.	Race.	No.	Name.	Race.
358	Apolinario - -	Mufumbe.	361	Anselmo - -	Muxicongo.
359	Acacio - -	Muxicongo.	362	Angelino - -	"
360	Antonio - -	"			

Note.—These Africans have produced numerous children and grandchildren, who have followed the destiny of their mothers, or have been lost.

List of Blacks sent to the Iron Foundry of S. João at Ipanema, in the Province of St. Pauls.

No.	Name.	Race.	No.	Name.	Race.
1	Francisco	Angola.	66	Custodio	Mucena.
2	Pedro	"	67	Bertholdo	"
3	Estevão	"	68	Raymundo	Mogange.
4	Jeremias	"	69	Deziderio	Monange.
5	Francisco	"	70	Benedicto	Mucena.
6	Lourenço	"	71	Julio	"
7	Gregorio	Benguella.	72	Aleixo	Macuá.
8	Manoel	"	73	Silverio	Mogange.
9	Faustino	"	74	Laurentino	Monange.
10	Fabiano	Congo.	75	Benjamin	"
11	Porfirio	Angola.	76	Balbino	"
12	Theotonio	"	77	Jovita	Sunna.
13	Eleuterio	"	78	Tertuliano	"
14	Mathias	"	79	Gabriel	"
15	Leandro	Benguella.	80	Olegario	Macua.
16	Romão	Angola.	81	Luciano	"
17	Hemeterio	"	82	Belmiro	Mogange.
18	Lucio	Cassange.	83	Antonio	Ganguella.
19	Theophilo	Congo.	84	Agapito	"
20	Rogério	"	85	Antenor	Barundo.
21	Patricio	Angola.	86	Ambrozio	"
22	Alexandre	Cassange.	87	Antonio 2nd	Ganguella.
23	Climaço	Benguella.	88	Araham	"
24	Balbino	"	89	Anselmo	"
25	Izidoro	"	90	Angelo	Naomba.
26	Gabriel	"	91	Anastacio	Caudimba.
27	Vicente	Congo.	92	Amando	Garanga.
28	Martinho	"	93	Athanazio	Garanga.
29	Paulo	Angola.	94	Antero	Coscambo.
30	Elias	"	95	Apolinario	Nequício.
31	Athanazio	Monjollo.	96	Amaro	Garanga.
32	Bazilio	Congo.	97	Alberto	"
33	Innocencio	Benguella.	98	Antão	Geratinanga.
34	Pantaleão	Congo.	99	André	Luale.
35	Felippe	Benguella.	100	Alvaro	Cocanda.
36	Mathias	Congo.	101	Agostinho	Ganguella.
37	Bruno	"	102	Aniceto	Otício.
38	Daniel	Benguella.	103	Angelino	Benguella.
39	Bartholomeu (dead)	"	104	Aleixo	Nabar.
40	Chrispiniano	Bié.	105	Arnaldo	Ulioanda.
41	Severiano	Angola.	106	Amado	Barundo.
42	Damazo	Congo.	107	Andromico	Otício.
43	Luciano	Benguella.	108	Braz	Cassira.
44	Papimano	"	109	Bento	Barundo.
45	Marcelino	"	110	Benedito	Luale.
46	Manoel	Angola.	111	Balbino	Ugarangue.
47	Honorato	Congo.	112	Boaventura	Capoco.
48	Felix	"	113	Benildo	Ugaranga.
49	Bento	"	114	Bernardino	"
50	Canuto	"	115	Bruno	"
51	José	"	116	Belchior	"
52	Ildefonso	Moange.	117	Bernardo	Ganguella.
53	Mathias	"	118	Balthazar	Cangombe.
54	Adrião	Baca.	119	Bonifacio	Cocanda.
55	Martinho	Maçua.	120	Bazilio	Luale.
56	Angelo	"	121	Braulio	Ugaranga.
57	Romão	"	122	Bemvindo	Cutiramba.
58	Primo	Mucena.	123	Camillo	Tivanda.
59	Thadeo	"	124	Claudio	Curnale.
60	Martiniano	Macuá.	125	Canuto	Covia.
61	Bernabé	Monange.	126	Candido	Catumbira.
62	Braz	"	127	Cosme	Cucavete.
63	Carlos	Mucena.	128	Clarimundo	Coqualuque.
64	Ignacio	"	129	Claudiano	Cocanda.
65	Augusto	"	130	Cyrillo	Covia.

No.	Name.	Race.	No.	Name.	Race.
131	Carlos	Cotimbue.	147	Demetrio	Luale.
132	Candido	Luale.	148	Damiano	Coruale.
133	Cantidiano	Umbuira.	149	Dario	Cabune.
134	Cazemiro	Cabunda.	150	Damazo	Barundo.
135	Chripim	"	151	Diogenes	Cabunda.
136	Conrado	"	152	Dumentino	Caruale.
137	Cleto	"	153	Ezequiel	Carunda.
138	Chrispiniano	Terengue.	154	Euzebio	Cuamba.
139	Domingos	Luale.	155	Eustaquio	Tiara.
140	Damião	Caconda.	156	Evaristo	Carnale.
141	Dyonisio	Cabunda.	157	Geremias	Nativanda.
142	Deziderio	Luale.	158	Gregorio	Caruale.
143	Deolindo	"	159	Hilario	Luale.
144	Duarte	"	160	Thomaz	Guitiranga.
145	Diocleciano	Coronga.	161	Braz	Benguella.
146	Damazio	Maimbé.	162	Lazaro	Congo.

N.B.—Many of these Africans have already left the iron foundry of Ipanema, and transferred to private individuals, "Concessionnaires," of which there are no entries and no guarantee given in the regular form, or have been transferred to the new iron foundry established in the Province of Matto Grosso, or to the colonies in the Province of Parana where they still remain. From these places no information has been obtained in consequence of the great distances and difficulty of communication.

Of those sent to the Province of Minas, it appears that the following actually exist :—

No.	Name.	Race.	No.	Name.	Race.
1	Izidoro	Noguetão.	13	Maximiano	Bamba.
2	Justiniano	Ambriz.	14	Leandro	Congo.
3	Domingos	Monjollo.	15	Rozendo	Ambriz.
4	Bento	"	16	Ezequiel	Congo.
5	Satyro	Moange.	17	Victorio	Mullui.
6	Anastacio	Congo.	18	Jude	Zombo.
7	Polycarpo	Maxibamba.	19	Bernardino	Cuillo.
8	Mathias	Mullui.	20	Domingos	Congo.
9	Jacintho	Congo.	21	Alexandre	Cuango.
10	Jeminiano	Mullui.	22	Bernabé	"
11	Antonio	Cuango.	23	Manoel	Cabunda.
12	Guilherme	Angola.			

In the Public Works of the Province of Rio de Janeiro were employed the following :—

No.	Name.	Race.	No.	Name.	Race.
1	Thomaz	Benguella.	33	Olegario	Congo.
2	Ambrozio	"	34	Cleto	"
3	Mauricio	"	35	Miguel	Baca.
4	Gonçalo	Baca.	36	Telerphoro	Bié.
5	Antonio	Angola.	37	Theodoro	"
6	Mathias	Rebolo.	38	Justiniano	"
7	Evaristo	"	39	Julião	Barundo.
8	Cypriano	"	40	Hygino	"
9	Calixto	Cassange.	41	Zotico	Mongo.
10	Dionisio	Angola.	42	Estevão	"
11	Paulo	"	43	Sebastião	Dullo.
12	Eduardo	Rebolo.	44	Vicente	Bié.
13	Wenceslau	"	45	Marcolino	"
14	Cosme	"	46	Serpião	Mitheque.
15	Antonio	"	47	Evaristo	Molembo.
16	Elizario	"	48	Coriolano	Miombe.
17	Antonio	"	49	Jozé	"
18	Eustaquio	"	50	Duarte	Mitheque.
19	Joaquim	"	51	Mariano	Luango.
20	Manoel	Baca.	52	Julio	Babembe.
21	Vicente	Benguella.	53	Jeronimo	Mitheque.
22	Zeferino	Rebolo.	54	Ernesto	Sunde.
23	Bernardo	"	55	Bonifacio	"
24	Jorge	"	56	Anselmo	Angola.
25	Aleixo	Cassange.	57	Amancio	"
26	Aprigio	Congo.	58	Damazo	Congo.
27	Anastacio	"	59	Eleuterio	"
28	Themotheo	"	60	Fredesvindo	"
29	Ignacio	Soio.	61	Domingos	Baca.
30	Matheus	Ganguella.	62	Elizario	Moange.
31	Gregorio	Candongo.	63	Innocencio	Angola.
32	Ricardo	Congo.	64	Lazaro	Congo.

No.	Name.	Race.	No.	Name.	Race.
65	Mariano	Congo.	70	Rogério	Congo.
66	Nicomedes	Monjolo.	71	Servulo	"
67	Paulo	"	72	Tiberio	"
68	Plácido	Congo.	73	Reinaldo	Monjolo.
69	Guintino	"	74	Silverio	Moange.

N.B.—Some of these Africans are included in the 158 which were emancipated by the authorities of the capital of the Province of Rio de Janeiro, between the publication of the Decree of the 24th September, 1864, and the end of the same year, but are not yet classified, and it cannot yet be ascertained from what services or from what Departments they have been taken.

In the Public Works of the "Município Neutro" in this city, the following Africans were employed:—

No.	Name.	Race.	No.	Name.	Race.
1	Antonio	Angola.	23	Chrispim	Cassange.
2	Felippe	Benguella.	24	Matheos	Congo.
3	Antonio	Moange.	25	Daniel	Rebolo.
4	Jeremias	Cabunda.	26	Herculano	"
5	Antonio	Cabinda.	27	Candido	Congo.
6	Sebastião	Angola.	28	Jacob	Benguella.
7	Lourenço	Congo.	29	João	"
8	Lourenço	Benguella.	30	Braz	Angola.
9	João	Moange.	31	Martinho	Cavilhangá.
10	Januario	Congo.	32	Pedro	Unana.
11	Antonio	Angola.	33	Rafael	Muxicongo.
12	João	Cabunda.	34	Felisberto	Clita.
13	Francisco	Angola.	35	Luiz	Uamba.
14	Bernardo	"	36	Braz	Mujamba.
15	Lucas	Congo.	37	Sergio	Congo.
16	Antonio	"	38	Trajano	Coxiurá.
17	Geraldo	"	39	Olegario	Cubangula.
18	Enzebio	Benguella.	40	Cyriaco	Caximjamba.
19	Januario	Angola.	41	Jeremias	Unane.
20	Zacharias	"	42	Ludgero	Uambá.
21	Clemente	Guissaman.	43	Calixto	"
22	Malaquias	"			

Several other Africans formerly employed in this Department have been sent to the House of Correction in this city at different times, from whence they have been transferred to different places.

The Africans delivered or deposited at the House of Correction in this city are not here mentioned, as they have been all emancipated by order of the Government, subsequent to the publication of the Decree of the 24th September, 1864.

RECAPITULATION.

Private individuals (Concessionnaires)	934	União and Industria Road	48
Province of Bahia	396	Hospital for Lepers	13
War Arsenal, Rio de Janeiro	35	Town or City of Petropolis	12
Pyrotechnico Department at Campinas	14	Estrella Road	27
Observatory, Rio de Janeiro	2	Public Gardens	7
Military Schools	10	Misericórdia Hospital, Rio de Janeiro	59
Military Hospital	9	" " Campos	7
Deaf and Dumb Institution	4	" " Ilha Grande	4
Blind Institution	8	Order 3rd Hospital, Carmo	9
Marine Arsenal	76	" " Bom Jesus	15
Public Works	38	" " S. Francisco de Paula	8
Public Lights	17	Brotherhood of SS. Sacramento da Sé	4
Municipal Chambers	14	Order of S. Francisco da Penitencia	6
Telegraph Stations	3	Missionarios Capuchinhos	2
National Public Library	3	Gunpowder Factory	362
Police Corps	15	Iron foundry at Ipanema	162
Pedro II. College	18	Province of Minas	23
" Hospital	35	Public Works, Province of Rio de Janeiro	74
School of Medicine	1	" Município Neutro	43
Mage and Sapucaia Company	29		
Mangaratiba Road	20	Total	2,565

By this Report it appears that the total number of Africans still in Brazil and employed in different services is 2,565.

The number remaining after deducting the deaths reported and those emancipated up

to the end of the past year from the total number imported amounted to 5,099, as stated in the previous part of this paper.

Consequently between these two numbers there is a difference of 2,534 Africans, which must be considered as missing, or at least are in part included among the deaths not reported, or among those emancipated since the end of last year. But still there will be a considerable difference as these two numbers cannot amount to 2,534, which is the actual difference noted.

This loss refers not only to the time at which these Africans were captured and judged by the Brazilian authorities (1844 to 1852), because immediately they were landed different influential people, through whose hands they had to pass before being sent to the Judge of Orphans, proceeded to choose and take from the lots those that they required or thought proper to take without making any entry, or being in any way responsible, but must also refer to the time they were captured by the English cruizers, and judged by the Mixed Brazilian and English Commission established at Rio de Janeiro, as it appears that they disappeared from the deposits where they were placed by order of the Commission previous to their being distributed by the proper authorities, according to the Treaties then existing.

By virtue of the Regulations issued by the Brazilian Government for the execution of the Convention of the 23rd November, 1826, the Judges of Orphans were the authorities empowered to make this distribution, conceding the Africans services, to private individuals who took them at a small salary payable to the Treasury.

This distribution and still further the registration made of it, is full of the greatest irregularity and confusion.

Between the 26th September, 1864, and the 16th March, 1865, 565 Africans have been emancipated by order of the Brazilian Government, and received their letters of emancipation at the police office in this city.

58-

RETURN

OF

SLAVE-VESSELS CAPTURED

BY

HER MAJESTY'S SHIPS OF WAR

DURING THE

YEARS 1860 TO 1864.

*Presented to the House of Commons by Command of Her Majesty, in pursuance of their
Address dated April 7, 1865.*

LONDON:

PRINTED BY HARRISON AND SONS.

RETURN to an Address to the Honourable the House of Commons, dated April 7, 1865 ;

for—

“A Return, in a tabular form, of the Number of Vessels, of every description, detained by any of Her Majesty's Ships or Vessels of War attached to the Naval Squadrons at the Cape of Good Hope or the West Coast of Africa, or the West Indies, or the South-East Coast of America, for being engaged in the Slave Trade, or suspected of being engaged in the Slave Trade ; showing the Number of Vessels condemned, with or without Slaves, and number liberated by each of the Vice-Admiralty Courts :

“The Return to be made up from 1860 (inclusive) to the date of the last Reports received from Commissioners of Mixed Courts or from Naval Officers.”

Date of Capture.	Name of Slave-Vessel.	Tons.	No. of Crew.	Under what Flag, if any.	By what Cruiser captured.	Where Captured.	No. of Negroes on Board.	How Disposed of.
1860								
Jan. 9	Barque. Supposed "Pamphylia" ...	250	30	None ...	Triton ...	Lat. 5° 8' S., long. 11° 52' E.	591	Condemned in Vice-Admiralty Court of St. Helena.
12	"Jehosce" ...	...	...	American ...	Falcon ...	Lat. 6° 4' N., long. 1° 9' E.	None	Released.
30	Brigantine. No name. Supposed to be "W. H. Stewart" ...	180	9	None ...	Archer ...	Lat. 5° S., long. 11° 40' E.	...	Condemned in Vice-Admiralty Court of St. Helena.
Mar. 18	"Mambo Zafa." Dhow ...	...	...	Johanna ...	Persian ...	Lat. 12° 46' S., long. 44° 10' E.	...	Destroyed.
18	"Salamita" ...	...	...	Arab ...	ditto ...	...	...	...
April 18	Ship. No name. Supposed "Konoko" ...	450	32	None ...	Triton ...	Lat. 3° 25' N., long. 11° 1' W.	...	Condemned at Sierra Leone, 25th April, 1860.
Aug. 8	Barque. No name. Supposed "Esperanza" ...	450	24	ditto ...	Lyra ...	5 miles S.S.W. of north point of Monfra	...	Condemned at Cape of Good Hope, October 1860
10	"Manuela." Ship ...	700	40	ditto ...	Brisk ...	Off Johanna ...	846	Condemned at Mauritius, October 15, 1860.
15	"Constantia." Barque. Late "White Cloud" ...	325	12	Monte Videan	Alecto ...	River Cameroons ...	...	Condemned at Sierra Leone, 29th October, 1860.
16	Brigantine. No name ...	100	10	None ...	Spitfire ...	Lat. 7° 45' S., long. 12° 50' E.	...	Condemned in Vice-Admiralty Court of St. Helena.
Oct. 14	"Lola." Brig ...	157	...	Spanish ...	Barracouta ...	Off the Anguillas keys	...	{ Released by Commission Court at Havana.
14	"Castilla." Brig ...	130	...	ditto ...	ditto ...	...	...	...
Nov. 15	Cutter. No name ...	196	9	None ...	Torch ...	Lat. 6° 49' S., long. 11° 57' E.	...	Condemned in Vice-Admiralty Court of Sierra Leone, and destroyed as unseaworthy.
19	Brigantine. No name. Supposed "James Rose" ...	...	...	ditto ...	Falcon ...	Lat. 7° 18' S., long. 9° 46' E.	262	...
19	Brig. No name ...	200	14	ditto ...	Espoir ...	Off Shebar River ...	...	Condemned, 29th November, 1860, at Sierra Leone.
Dec. 14	"Clara Windsor" ...	218	31	ditto ...	ditto ...	Lat. 4° 44' S., long. 14° 21' W.	677	Condemned, 15th January, 1861, at Sierra Leone.
1861								
Jan. 4	Barque. No name ...	391	6	Spanish ...	Persian ...	Zanzibar ...	...	Condemned at Cape of Good Hope.
19	Brigantine. No name ...	147	...	None ...	Torch ...	Rio Pongas ...	...	Destroyed as unseaworthy.
Feb. 12	Felucca. "Theresa" ...	...	...	Portuguese ...	Wasp ...	Mozambique Channel ...	...	Released.
20	"Buswahi." Dhow ...	...	59	None ...	Sidon ...	Lat. 16° 42' S., long. 44° 45' E.	272	Burnt. Condemned at Mauritius.
April 1	Dhow ...	117	14	ditto ...	Lyra ...	Lat. 6° 7' S., long. 39° 14' E.	...	Burnt. Condemned at Cape of Good Hope.
3	ditto ...	68	27	ditto ...	ditto ...	Lat. 6° 6' S., long. 39° 14' E.	103	ditto.
6	ditto ...	70	...	ditto ...	ditto ...	Lat. 6° 6' S., long. 39° 14' E.	...	ditto.
8	ditto ...	116	18	ditto ...	ditto ...	Lat. 6° 6' S., long. 39° 14' E.	...	ditto.
11	ditto ...	77	...	ditto ...	ditto ...	Zanzibar Harbour ...	3	ditto.
11	ditto ...	108	...	ditto ...	ditto ...	...	...	ditto.
12	ditto ...	119	25	ditto ...	ditto ...	...	...	ditto.
12	ditto ...	99	13	ditto ...	ditto ...	...	...	ditto.
13	ditto ...	102	15	ditto ...	ditto ...	...	...	ditto.
13	ditto ...	101	...	ditto ...	ditto ...	...	...	ditto.
13	ditto ...	89	...	ditto ...	ditto ...	...	...	ditto.
14	Schooner. No name ...	51	...	ditto ...	Torch ...	Bramiah River ...	...	Condemned at Sierra Leone, 27th April, 1861.
14	Dhow ...	146	15	ditto ...	Lyra ...	Lat. 5° 14' S., long. 39° 48' E.	...	Burnt. Condemned at Cape of Good Hope.
17	ditto ...	208	30	ditto ...	ditto ...	Lat. 4° 39' S., long. 39° 28' E.	...	ditto.
17	ditto ...	164	40	ditto ...	ditto ...	Lat. 4° 38' S., long. 39° 25' E.	7	ditto.
17	ditto ...	125	8	ditto ...	Sidon ...	Off Port Durnford ...	60	Destroyed. Condemned at Mauritius.
18	ditto ...	174	...	ditto ...	ditto ...	ditto ...	111	ditto.
19	ditto ...	97	...	ditto ...	ditto ...	River Durnford ...	...	ditto.
20	ditto ...	106	...	ditto ...	ditto ...	ditto ...	...	ditto.
21	ditto ...	89	...	ditto ...	ditto ...	ditto ...	2	Burnt. Condemned at Cape of Good Hope.
22	"Mutsahl." Dhow ...	62	24	Arab ...	ditto ...	Lat. 1° 13' S., long. 41° 54' E.	3	ditto.
22	"Bashaw." Dhow ...	148	34	ditto ...	ditto ...	Lat. 1° 13' S., long. 41° 54' E.	5	ditto.
24	"Ardennes" ...	...	...	...	Wrangler ...	...	488	Condemned at St. Helena.
May 19	"Flight." Brig ...	...	...	None ...	Falcon ...	Lat. 3° 55' S., long. 14° 41' W.	539	Condemned at Sierra Leone, 8th June, 1861.
27	"Jacinta" ...	187	...	ditto ...	Prometheus ...	Off Landano ...	...	Destroyed. Condemned at Sierra Leone, 29th August, 1861.
June 13	Schooner. "Buenaventura Cubano." ...	183	...	Spanish ...	Torch ...	Inside Bar of Gallinas ...	...	ditto.
24	Dhow. "Flor de Cabaceira" ...	...	...	Portuguese ...	Penguin ...	Off Quicimba Island ...	11	Released by Commission Court at Cape of Good Hope.
July 3	"Diana." Schooner ...	96	11	None ...	Torch ...	Off Rio Nunez ...	...	Condemned at Sierra Leone, 19th July, 1861.
11	Brigantine. Supposed "Nympha" ...	...	...	ditto ...	Alecto ...	Lat. 8° 40' S., long. 13° 11' E.	...	...
Aug. 3	Dhow ...	156	20	ditto ...	Gorgon ...	Lindy River ...	...	Condemned at Sierra Leone and destroyed.
9	ditto ...	84	15	ditto ...	ditto ...	Kiswara ...	...	ditto.
9	ditto ...	47	12	ditto ...	ditto ...	ditto ...	...	Being leaky was abandoned.
Oct. 29	"Lyra." Barque ...	217	...	ditto ...	Ranger ...	Lat. 6° 46' S., long. 12° 38' E.	890	Condemned in Vice-Admiralty of St. Helena.
1862								
Jan. 1	Schooner. No name ...	175	11	None ...	Ranger ...	Lat. 6° 55' S., long. 11° 36' E.	511	ditto.
20	"Laura." Brig ...	...	...	British ...	Cadmus ...	Off Island of St. Thomas ...	...	...
Mar. 4	Brig. No name ...	207	...	None ...	Torch ...	Lat. 6° 47' S., long. 11° 50' E.	...	ditto.
27	Barque. No name ...	300	...	ditto ...	Griffon ...	Lat. 5° S., long. 11° 45' E.	...	...
27	Schooner. No name ...	70	...	ditto ...	ditto ...	Lat. 5° S., long. 11° 45' E.	...	Burnt as unseaworthy. Condemned in Vice-Admiralty Court of St. Helena.
April 18	Ship. No name ...	610	...	ditto ...	Flying Fish ...	River Nunez ...	...	Destroyed. Condemned at Sierra Leone, 5th June, 1862.
June 3	Brigantine. No name ...	117	12	ditto ...	Antelope ...	Off Cabenda ...	558	Condemned in Vice-Admiralty Court of St. Helena.
25	"Concepcion." Schooner ...	110	19	ditto ...	Wye ...	Lat. 6° 20' S., long. 13° 15' E.	295	ditto.
July 11	Brig. No name ...	270	...	ditto ...	Dart ...	Lat. 8° 20' S., long. 12° 45' E.	...	ditto.
22	Barque. No name ...	250	17	ditto ...	Espoir ...	Lat. 6° 45' S., long. 12° 25' E.	...	ditto.

Date of Capture.	Name of Slave-Vessel.	Tons.	No. of Crew.	Under what Flag, if any.	By what Cruiser captured.	Where Captured.	No. of Negroes on Board.	How Disposed of.
1862								
July 24	"Clariassa"	251	...	None.	Torch ...	Punta da Lenha, Congo River	...	Condemned at Sierra Leone, 20th August, 1862.
Aug. 4	Cutter. No name	78	9	ditto	Antelope ...	Cabenda Bay	203	Destroyed as unseaworthy.
9	Schooner. No name	80	...	ditto	Mullet ...	Off Point Padron	150	Went ashore and was burnt.
27	ditto	130	12	ditto	Zebra ...	Lat. 4° 33' S., long. 10° 38' E.	...	Burnt as unseaworthy.
Sept. 20	"Britannia." Schooner	...	...	ditto	Espoir ...	Cabenda	...	Case dismissed. Vessel burnt.
23	Schooner. No name	180	...	ditto	Griffon ...	Off Jackin	...	Condemned at Lagos.
Oct. 3	Barque. No name	...	...	ditto	Zebra ...	Off Mangué Grande	...	Condemned in Vice-Admiralty Court of St. Helena.
15	Barque. "Jane"	280	...	Dutch	Espoir ...	River Congo	...	Condemned at Sierra Leone, 10th December, 1862.
Nov. 10	Dhow	...	...	None ...	Gorgon ...	Lat. 4° 46' S.	80	Destroyed.
20	Launch. No name	...	...	ditto	Zebra ...	River Congo	90	Swamped. Condemned in Vice-Admiralty Court of St. Helena.
20	"Liberdad"	200	...	ditto	ditto ...	ditto	...	ditto.
25	"Lola Montez." Brigantine	130	...	ditto	Antelope ...	Cabenda	...	Condemned in Vice-Admiralty Court of St. Helena.
Dec. 28	Ship. No name. Late "Island Queen"	...	21	ditto	Wrangler ...	Lat. 14° 37' S., long. 9° 19' E.	...	Condemned by Vice-Admiralty Court of St. Helena.
Nov. 2	Launch. "E"	...	...	Portuguese	Espoir ...	Mangué Grande, 12 miles south	25	Condemned by Commission Court at Loanda.
1863								
Jan. 29	"Venus." Brigantine	...	...	Portuguese	Antelope ...	Off Cabenda	...	Released by Commission Court at Loanda.
Feb. 10	"Laura." Brigantine	140	...	None ...	Zebra ...	Punta da Lenha, River Congo.	...	Condemned in Mixed Court of Loanda.
14	"Léopard." Brig	...	...	French	ditto ...	Off Point Padron	...	Released by Vice-Admiralty Court at Sierra Leone, Court having no jurisdiction.
Mar. —	Schooner. No name	150	...	None ...	Brisk ...	Off Annabon	368	Condemned by Vice-Admiralty Court of St. Helena.
17	"Maraguita." Schooner	153	...	American	Zebra ...	Lat. 6° 8' S., long. 12° 11' E.	471	
May 29	Schooner. No name	...	...	None ...	Orestes ...	Fernan Veloso Bay.	...	ditto.
Aug. 12	Brig. Supposed name "Haidee."	200	16	ditto	Espoir ...	Lat. 7° 34' S., long. 12° 30' E.	550	
1864								
Jan. 27	"Kate." Cutter	...	...	British	Investigator ...	Off Atakoo	...	ditto.
Feb. 8	Brigantine. No name	200	...	None ...	Griffon ...	Off Ambriette	...	ditto.
April 3	"America." Ship	...	...	Spanish	Ariel ...	Lat. 13° 45' S., long. 46° 51' E.	...	Condemned by Mixed Commission Court at Sierra Leone.
June 3	Felucca. No name	...	...	None ...	Griffon ...	Shark's Point	6	Ran ashore. Was destroyed.
July 1	Barque. No name	...	12	ditto	Snipe ...	Off River Congo	...	Condemned in Vice-Admiralty Court at St. Helena.
10	ditto	800	12	ditto	Lee ...	Lat. 11° 37' S., long. 13° 20' E.	...	
7	Schooner. No name	100	6	ditto	Dart ...	Off Vista, River Congo	...	
23	"Melvira" alias "Charles"	154	9	ditto	ditto ...	Bay of Mayumba	...	
Aug. —	"Ricardo Schmidt"	...	...	Italian	By Lieutenant Dunlop, of Ariel	In Sierra Leone Harbour	...	Released by Mixed Commission Court at Sierra Leone.
Sept. 14	Dhow	90	...	None ...	Orestes ...	Lat. 3 N., long. 46° 39' E.	...	Destroyed as unseaworthy.
Oct. 24	Two dhows	...	...	ditto	Lyra ...	In St. Antonio River	...	ditto.
Nov. 18	Schooner. No name	...	...	ditto	Pandora ...	River Componee	...	Went ashore and was burnt.

SUMMARY.

						Condemned.	Released.
Vice-Admiralty Court of Sierra Leone	...	...	...	...	...	14	1
30	30	St. Helena	...	...	...	35	—
30	30	Cape of Good Hope	...	...	...	30	—
30	30	Mauritius	...	...	...	6	—
30	30	Antigua	...	...	...	1	—
30	30	Lagos	...	...	...	1	—
Mixed Commission Court of Sierra Leone	...	...	...	...	...	2	1
30	30	Loanda	...	...	...	2	1
30	30	Cape of Good Hope	...	...	...	1	1
30	30	Havana	...	...	...	1	1
Total	...	...	...	...	...	91	5

RETURN of Slave-Vessels Captured by
Her Majesty's Ships of War during the
Years 1860 to 1864.

*Presented to the House of Commons, by Command
of Her Majesty, in pursuance of their Address
dated April 7, 1865.*

LONDON :

PRINTED BY HARRISON AND SONS.

RETURN OF CASES

TRIED IN THE

MIXED COMMISSION COURTS

OF

SIERRA LEONE, HAVANA, LOANDA, CAPE OF
GOOD HOPE, AND NEW YORK,

SINCE THE YEAR

1860.

*Presented to the House of Commons by Command of Her Majesty, in pursuance
of their Address dated April 7, 1865.*

LONDON:

PRINTED BY HARRISON AND SONS.

RETURN to an Address of the Honourable the House of Commons, dated April 7, 1865;
for—

“A Return of the Number of Cases in the Mixed Commission Courts of Sierra Leone, Havana, Loanda, and New York, tried in each year from 1860 (inclusive) up to the date of the last Report received at the Foreign Office, specifying the Name of the Vessel adjudicated on, the Number of Africans found on board, and afterwards set at liberty; and also specifying the Number of Cases referred in each Year of the same period by the British or Foreign Commissioner of the Mixed Court to the Arbitrator of the Court, and the nature of the Award in each case referred to the Arbitrator:
“And, like Return regarding Cases in the Mixed Commission Court at the Cape of Good Hope up to the date of the last Report received at the Foreign Office (in continuation of the Return presented to the House of Commons by Command of Her Majesty, in pursuance of their Address dated the 24th day of July, 1862).”

Court.	Year.	Name of Vessel.	Nature of Decision.	Number of Africans found on board, and afterwards liberated.	Cases referred to Arbitrator.	Nature of his Award.
SIERRA LEONE	1860	None.				
	1861	None.				
	1862	None.				
	1863	None.				
	1864	America	Condemned	None	One ..	Condemnation.
HAVANA	1860	None.				
	1861	Lola.	Liberated	None.		
	1862	Castilla	Liberated	None.		
	1863	None.				
	1864	None.				
LOANDA.....	1860	Tiger	Condemned	70.		
	"	Va Vo	Condemned	None.		
	"	Paquete de Moanda	Condemned	5.		
	"	Palmeira	Restored	None.		
	"	Paquete	Referred for adjudication to the "Tribunal de Prezas."	None.		
	"	Mist	Restored	None.		
	1861	Maria Isabel ..	Condemned	None.		
	"	Lord of the Isles ..	Referred for adjudication to the "Tribunal de Prezas" and acquitted..	None.		
	1862	None.				
	1863	Venus	Liberated without costs ..	None.		
	"	Laura	Condemned	None.		
	1864	Congo	Liberated, paying all costs.	None.		
NEW YORK	1860	{ Court not yet established.				
	1861					
	1862					
	1863					
	1864					
CAPE OF GOOD HOPE.....	{ Latter half of	{ None.				

RETURN of Cases tried in the Mixed Commission
Courts of Sierra Leone, Havana, Loanda, Cape of
Good Hope, and New York, since the year 1860.

*Presented to the House of Commons by Command
of Her Majesty, in pursuance of their Address
dated April 7, 1865.*

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